



PARLIAMENT
OF THE CAYMAN ISLANDS



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OFFICIAL HANSARD REPORT

Second Meeting of the 2024/2025 Session
Fifth Sitting

Monday
16 December, 2024
(Pages 1-54)

Hon. Sir Alden McLaughlin
Speaker

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PRESENT WERE:

Hon. Sir Alden McLaughlin, KCMG, MBE, KC, JP, MP
Speaker

MINISTERS OF THE CABINET

Hon. Juliana Y. O'Connor-Connolly, JP, MP	<i>Premier</i> , Minister of Finance & Economic Development, Education, District Administration & Lands, Financial Services & Commerce, <i>and</i> Health
Hon. Kenneth V. Bryan, MP	<i>Deputy Premier</i> , Minister of Tourism & Ports <i>and</i> Social Development & Innovation
Hon. Isaac D. Rankine, JP, MP	Minister of Youth, Sports, & Heritage <i>and</i> Home Affairs
Hon. Dwayne S. Seymour, CCI, JP, MP	Minister of Border Control, Labour, Culture, Sustainability & Climate Resiliency <i>and</i> Wellness

EX OFFICIO MEMBERS OF THE CABINET

Hon. Franz I. Manderson, MBE, Cert Hon, JP	<i>Deputy Governor</i> , ex officio Member responsible for the Portfolio of the Civil Service
Hon. Samuel W. Bulgin, KC, JP	<i>Attorney General</i> , ex officio Member responsible for the Portfolio of Legal Affairs

ELECTED MEMBERS

GOVERNMENT BACKBENCHERS

Hon. W. McKeever Bush, JP, MP	Elected Member for West Bay West, Parliamentary Secretary to Border Control & Culture <i>and</i> Planning, Housing, Infrastructure, Transport & Development
Mr. Bernie A. Bush, MP	Elected Member for West Bay North, Parliamentary Secretary for Youth, Sports and Heritage

OPPOSITION MEMBERS

Hon. Joseph X. Hew, MP	<i>Leader of the Opposition</i> , Elected Member for George Town North
Ms. Barbara E. Conolly, JP, NP, MP	<i>Deputy Leader of the Opposition</i> , Elected Member for George Town South
Mr. Roy M. McTaggart, JP, MP	Elected Member for George Town East

INDEPENDENT OPPOSITION MEMBERS

Hon. Heather D. Bodden, OCI, Cert. Hon., JP, MP	<i>Deputy Speaker</i> , Elected Member for Savannah
Hon. G. Wayne Panton, JP, MP	Elected Member for Newlands
Hon. Katherine A. Ebanks-Wilks, MP	Elected Member for West Bay Central
Mr. Christopher S. Saunders, MP	Elected Member for Bodden Town West
Mr. André M. Ebanks, MP	Elected Member for West Bay South
Mrs. Sabrina T. Turner, MP	Elected Member for Prospect

APOLOGIES

Hon. Johany S. Ebanks, MP	Minister of Planning, Agriculture, Housing, Infrastructure and Transport & Development
Mr. Moses I. Kirkconnell, OBE, JP, MP	Elected Member for Cayman Brac West and Little Cayman
Mr. David C. Wight, JP, MP	Elected Member for George Town South
	Elected Member for George Town West

OFFICIAL HANSARD REPORT
SECOND MEETING OF THE 2024/2025 SESSION
MONDAY
16 DECEMBER, 2024
11:06 A.M.
Fifth Sitting

[Hon. Sir Alden McLaughlin, Speaker, Presiding]

The Speaker: Good morning. Parliament is resumed.
I invite the Honourable Deputy Premier to lead us in prayers.

PRAYERS

Hon. Kenneth V. Bryan, Deputy Premier, Minister of Tourism & Ports and Social Development & Innovation, Elected Member for George Town Central: Let us pray:

Almighty God, from whom all wisdom and power are derived: We beseech Thee so to direct and prosper the deliberations of the Parliament now assembled, that all things may be ordered upon the best and surest foundations for the glory of Thy Name and for the safety, honour and welfare of the people of these Islands.

Bless our Sovereign, King Charles III; William, Prince of Wales; and all the Royal Family. Give grace to all who exercise authority in our Commonwealth, that peace and happiness, truth and justice, religion and piety may be established among us. Especially we pray for the Governor of our Islands, the Premier, the Speaker of the Parliament, the Leader of the Opposition, Ministers of the Cabinet, ex officio Members, Members of the Parliament, the Chief Justice and Members of the Judiciary that we may be enabled faithfully to perform the responsible duties of our high office. All this we ask for Thy great Name's sake.

Let us say The Lord's Prayer together:

Our Father, who art in Heaven, Hallowed be Thy Name. Thy Kingdom come, Thy will be done on earth as it is in Heaven. Give us this day our daily bread, and forgive us our trespasses, as we forgive those who trespass against us. Lead us not into temptation, but deliver us from evil. For Thine is the Kingdom, the power and the glory, forever and ever. Amen.

The Lord bless us and keep us. The Lord make His face shine upon us and be gracious unto us. The Lord lift up the light of His countenance upon us and give us peace, now and always. Amen.

The Speaker: Please be seated.

**ADMINISTRATION OF OATHS
OR AFFIRMATIONS**

The Speaker: None.

**READING BY THE HONOURABLE
SPEAKER OF MESSAGES AND
ANNOUNCEMENTS**

The Speaker: I'm very tempted to say something about the weekend's incredible performance of one of our athletes, but I will not steal the Minister's thunder.

PRESENTATION OF PETITIONS

The Speaker: None.

**PRESENTATION OF PAPERS
AND OF REPORTS**

The Speaker: None.

**QUESTIONS TO HONOURABLE
MINISTERS AND MEMBERS
OF THE CABINET**

The Speaker: None.

**STATEMENTS BY HONOURABLE
MINISTERS AND MEMBERS
OF THE CABINET**

**Minister of Youth, Sports, & Heritage
and Home Affairs**

The Speaker: I invite the Honourable Minister of Youth and Sports to make his statement.

Hon. Isaac D. Rankine, Minister of Youth, Sports, & Heritage and Home Affairs, Elected Member for East End: Thank you, Mr. Speaker.

Mr. Speaker, I'll have copies of the Statement delivered to the rest of the Members of Parliament shortly.

The Speaker: There's nothing controversial in this; it's fine.

Hon. Isaac D. Rankine: Thank you, sir.

Mr. Speaker, I would like to take this opportunity to congratulate our young Caymanian athletes who have just competed in the World Aquatics Swimming Championships in Budapest. These young people have done an exceptional job at representing our beloved Isles.

I would like to congratulate and recognise Jordan Crooks, Jillian Crooks and Kyra Rabess on a successful and outstanding representation at these Championships. Jillian and Kyra both set new National and Cayman Islands Aquatic Sports Association (CIASA) records. Jillian set a new record in the 100 metre Freestyle with a time of 54.13 seconds, and Kyra won the 400-metre heat in a time of 4 minutes, 14.77 seconds; and the 800-metre Freestyle with a time of 8 minutes, 46.13 seconds.

To Jillian and Kyra: I am delighted to extend congratulations to both of you, for a job well done. We are all looking forward to seeing your continued growth in the sport.

On Saturday, 14th December 2024, we watched Jordan as he demolished the 50-metre Freestyle short course World Record not once, but twice.

[Desk thumping]

Hon. Isaac D. Rankine: This was in less than 24 hours, sir. Finishing the 50-metre Freestyle heat in a record time of 20.08 seconds, he then returned and shattered his own record in the semi-finals, becoming the first swimmer in history to go sub 20 in the 50 metre Freestyle with a time of 19.90 seconds. Then on Sunday, 15th December, Jordan went on to win gold in the 50-metre Freestyle with a time of 20.19 seconds—Mr. Speaker, might I add: that is also the fifth fastest time in this event.

Mr. Speaker, it is my great honour to congratulate Jordan Crooks for breaking the world record in the 50-metre short course; and successfully defending his 50-metre Freestyle title at the World Championships.

Throughout his swimming career, Jordan has done an outstanding job at representing the Cayman Islands, whether it be at the Caribbean Free Trade Association (CARIFTA) Swimming Championships, the Central American and Caribbean Swimming [Federation] (CCCAN) Championships, the NatWest Island Games, the Youth Olympic Games, Junior Pan American Games, the World Swimming Championships, the FINA World Swimming Championships and the 2024 Olympic Games, where he became the first Caymanian to reach the finals in the Men's 50-metre Freestyle.

Mr. Speaker, Jordan's performance over the years is a testament to his faith, family, drive, talent and dedication. I am immensely proud of this young man, not only for his ability to excel in swimming, but also his ability to bring our people together in a show of national pride. It was heart-warming to see persons gathering for watch parties and showing support online for Jordan's win for the Cayman Islands. I know that Jordan

will continue striving for excellence and being a role model for younger athletes, not only as our Sports Ambassador, but as an individual.

To our community, we invite you to welcome home our athletes at 2.30 p.m. Tuesday, 17th December 2024 at Owen Roberts International Airport.

The Cayman Islands Government will also be hosting an event on Cardinal Avenue on Saturday, 21st December 2024, from 6 p.m. to 8.30 p.m. and we invite you all to attend.

Thank you Mr. Speaker.

[Desk thumping]

The Speaker: Thank you, Honourable Minister. That is truly incredible.

PERSONAL EXPLANATIONS

The Speaker: None.

OBITUARY AND OTHER CEREMONIAL SPEECHES

The Speaker: None.

RAISING OF MATTERS OF PRIVILEGES

The Speaker: None.

GOVERNMENT BUSINESS

BILLS

SECOND READING

CHILDREN (AMENDMENT) BILL, 2024

The Speaker: I recognise the Honourable Deputy Premier.

Hon. Kenneth V. Bryan, Deputy Premier: Thank you, Mr. Speaker.

Mr. Speaker, I beg to move the Second Reading of a Bill entitled the Children (Amendment) Bill, 2024.

The Speaker: The Bill has been duly moved. Does the Honourable Deputy Premier wish to speak thereto?

Hon. Kenneth V. Bryan, Deputy Premier: Yes, Mr. Speaker.

Mr. Speaker, I rise to present, on behalf of the Government, a Bill to amend the Children Act (2012 Revision). The Children (Amendment) Bill, 2024 is an important step forward in how we protect and support

our children and families. The Children (Amendment) Bill, 2024 creates a stronger advocacy for the wellbeing of our children. It establishes the Office of the Commissioner for Children and Young Persons to champion their rights and wellbeing. It also updates how information is shared within the Department to ensure better coordination and quicker responses when children's safety is at stake.

This Bill introduces care plans to provide clearer, more tailored support for children in care; strengthens the rules around children's homes to ensure they are safe and nurturing; and allows individuals in civil partnerships to take on parental responsibility, reflecting the diverse families in our community and constitutional obligations. It also simplifies the process of transferring a child to secure accommodation and removes outdated provisions from the principal Act to keep the legislation relevant and effective.

Mr. Speaker, these changes are vital because they put the best interests of our children at the centre of everything we do. They ensure our systems are better equipped to meet the real-life needs of children and families in the Cayman Islands, offering them stability, security, and a stronger foundation for the future.

As mentioned in speeches last week, with regard to the Older Persons (Amendment) Bill, 2024, I look forward to seeing the vision and alignment of the needs of the community come to life not only for older persons, but also for children and young people in community-friendly space like Central Scranton Park, Mr. Speaker, which you know holds dear to all Members for George Town. I intend for the youth centre within the park to be used for meaningful and impactful programmes that will be delivered by entities such as the Department of Children and Family Services and relevant non-profits to meet the needs of the children and youth in the Cayman Islands.

Mr. Speaker, please allow me the opportunity to recognise a former Member of Parliament, Dr. the Honourable Frank McField, who was instrumental in getting us thus far with respect to the Cayman Islands' youth, and is in the Chamber viewing today.

Mr. Speaker, the Children (Amendment) Bill, 2024 will further strengthen legal protections for children, upholding their rights and ensuring the necessary safeguards are in place to support them. It also provides the necessary regulatory and advocacy frameworks aligning with international best practices, such as the United Nations Convention on the Rights of the Child.

In 2023 and 2024, the Ministry conducted consultation with key stakeholders, children and youth, persons with lived experiences, the Department of Children and Family Services, and other Government entities to ensure that this legislation and the Adoption Bill, 2024 are fit for purpose in meeting the needs of the community and the persons we intend to serve and safeguard.

Mr. Speaker, the Amendment Bill seeks to amend the Children Act (2012 Revision) in 64 clauses.

Clause 1 provides the short title and commencement of the legislation.

Clause 2 amends the principal Act by deleting references throughout the principal Act to the words "Governor in Cabinet" and substituting the word "Cabinet". Clause 2 also amends the principal Act by deleting references to Roman numerals in relation to Parts and substituting references to Arabic numerals.

Clause 3 amends the principal Act by repealing the Part heading for Part I, and substituting a new Part heading to bring it in line with the drafting style of the legislation in the Islands.

Part I of the Children [Amendment] Bill has been amended to include the following definitions:

- (1) "neglect", in relation to a child, means the lack of provision to the child of essential care, including food, clothing, medical care, lodging and other necessities of life, to the extent of causing, or being reasonably likely to cause, personal injury or physical pain to, or injury to the mental or physical health of, the child;
- (2) "relevant authority" means a public authority or a private entity, and includes a non-profit organisation and any Body (whether incorporated or unincorporated) that provides any service under a contract made with the public authority or a private entity, the provision of the service being a function of that public authority or private entity;
- (3) "young person" means a person who has attained the age of eighteen years, but who has not yet attained the age of twenty-five years;

[Under] Part I which is titled "Introductory" in the Children Act (2012 Revision), the Children (Amendment) Bill, 2024 includes the following proposed amendments and the insertion of section 3A entitled "Voice of the Child". This section provides for the participation of children in any decision that has an impact on the child's life and the matters to be dealt with when a person has to ascertain the wishes and feelings of a child for this purpose. The inclusion of section 3A aligns with the United Nations Convention on the Rights of the Child (UNCRC), to which the Cayman Islands is ratified.

Part I also includes proposed amendments to expand those who have parental responsibility at birth to include:

- (1) Where a woman gives birth to a child ("the mother"), and at the time of the birth the mother is in a civil partnership with another woman, the child's mother and the woman with whom the mother is in a civil partnership at the time of the birth of the child, shall each have parental responsibility for the child.

- (2) Where an adoption order has been made under the proposed Adoption Bill, 2024 or the law of any other jurisdiction, each person named in the adoption order shall have parental responsibility for the child who is the subject of the adoption.

This is in addition to persons who already have parental responsibility for a child at birth namely, the mother, the father—where he and the mother registered the birth of the child or are married at the time of birth. Persons can also acquire parental responsibility under other provisions under the Children Act, such as provision 4A.

Part I is further amended in relation to section 9 which amends welfare reports and proposes to allow for the court to also ask a guardian *ad litem*, in addition to the existing social workers, to complete a report on matters relating to the welfare of the child.

Within Part I, there has been the insertion of sections 9A and 9B, which speak to the disclosure by officers of the Department of any interest in relation to the exercise of any of the officer's functions, and for confidentiality of information held by the Department, respectively.

Clause 12 amends section 10 of the principal Act by, among other things, removing the reference to the Affiliation Act (1995 Revision) since much of that legislation has become redundant and this legislation repeals that Act.

Clause 16 amends the principal Act by inserting after section 16, the proposed section 16A which provides for the duty of parents to maintain their children.

Part II of the Children Act is titled "Orders with respect to Children in Family Proceedings.". The amendments in this section are primarily to make the provisions general in nature and updating references to legislation that has been updated since the commencement of this Children Act.

- (a) Part III of the Children Act is titled "The Department's Support for Children and Families.". The Children (Amendment) Bill, 2024 includes the following proposed repeal and substitution to section 19 – provision of services for children in need, their families, and others. This section notably states that it is the duty of the Department to: safeguard and promote the welfare of children who are in need; and
- (b) so far as is consistent with that duty, to promote the upbringing of children by their families,
- by providing, or facilitating the provision of, a range and level of services appropriate to the needs of those children.

Under the proposed section 19, the Department can [discharge] the duty stated above by giving assistance in kind or, in exceptional circumstances in

cash, where financial assistance is not being provided by any other entity or where additional financial assistance is needed. Additionally, if a person receives financial assistance from the Department of Financial Assistance, the person is not liable to make any repayment of the financial assistance, except where required in accordance with the Financial Assistance Act, 2022.

Within Part III, sections 20 and 21 which are titled "day care for pre-school and other children" and "review of provision for day care, child minding, etc." have been repealed, respectively. These sections were never commenced in the Children Act.

Section 26 of the Children Act (2012 Revision) is amended within Part III to state that a person who qualifies for advice and assistance means a person within the Islands who is under twenty-four years of age and who, at any time after reaching the age of sixteen years but while still a child, was—

- (a) looked after by the Department;
 - (b) accommodated in a children's home; or
 - (c) accommodated in any residential care home,
- for a consecutive period of at least three months, but who is no longer so looked after, or accommodated.

The above amendment to section 26 [*inaudible*] the Department's ability to provide accommodation for anyone who is at least 16, but under 24 years of age in a children's home or other accommodation which takes children who have reached the age of 16, if the Department considers that to do so would continue to safeguard or promote the welfare of that [young] person as part of the aftercare scheme programme that the Department already provides. The provision currently exists within the Children Act, however, in the Children (Amendment) Bill, the upper age range has increased from 21 years to 24 years of age.

Clause 21 amends section 25 of the principal Act by, among other things, inserting proposed subsections (4A) to (4J), and (11) which provide for matters concerning departmental foster parents, including:

- the minimum age of departmental foster parents and exceptions;
- the usual fostering limit; and
- the procedure, in relation to consideration of representations made to the Department about the discharge of its functions relating to departmental foster parents.

The Bill has included criteria for Departmental foster parents, which is aligned with the proposed Adoption Bill, 2024 (to be debated later), and applies to someone who is at least 25 years of age. However, the Department may place a child with someone who is at least 18 years of age after considering any relevant regulations and ensuring the placement would not prejudice the welfare of the child and would be in the best interests of the child.

The Department shall enforce a fostering limit for Departmental Foster Parents—which currently

exists in the Children Act; and that limit is no more than three children unless all children placed are siblings, or the Department exempts the Departmental Foster Parent from the fostering limit. In determining to exempt someone from the fostering limit, the Department has considerations outlined in section 25(4D) of the Children (Amendment) Bill, 2024.

Part III has the proposed amendment to repeal and substitute section 27 - use of accommodation for restricting liberty. The proposed amendments include aligning with the UK statute to increase the duration for which a Court can grant an order which places a child in accommodation that restricts liberty, and is known as "secure accommodation" from three months to six months. Additionally, no Court shall grant secure accommodation unless a child has been legally represented or the child has failed to acquire, or has refused legal representation.

Section 30, within Part III of the Children Act has been amended to repeal and replace subsections (1) and (2). These provisions speak to the co-operation with the Department, and allow the Department to request the assistance of the public authority or private entity and can specify the action in their request including the manner and time in which the action should be taken. The disclosure of information within a request can be exempt if the disclosure involves information that would be privileged from production in legal proceedings on the ground of legal professional privilege or if the disclosure would be in contempt of court.

Part IIIA of the Children Act is titled "Notification and Investigation of Abuse.". The Children (Amendment) Bill includes the following amendments to Part IIIA.

Section 32A(2) has been repealed and replaced with the following list of mandatory reporters:

- (a) a registered practitioner;
- (b) a police officer;
- (c) an officer of the Fire Brigade established under section 3 of the Fire Brigade Act (2006 Revision), including any volunteer officers recruited in accordance with that Act;
- (d) a probation officer;
- (e) a social worker;
- (f) an officer of the Department;
- (g) a minister of religion;
- (h) a person who is an employee of, or volunteer with, an organisation formed for religious or spiritual purposes;
- (i) a teacher, principal, counsellor or other employee in, or volunteer with, an institution established for the care and education of children;
- (j) a person who provides child care services;
- (k) any person who is an employee of an entity and being a person who —
 - i. is engaged in the actual delivery of services to children;

- ii. or holds a management position in the relevant entity, the duties of which include direct responsibility for, or direct supervision of, the provision of services to children;
- (l) a member of Parliament; or
- (m) any other person who, by virtue of —
 - i. volunteering;
 - ii. engaging in community service; or
 - iii. the person's employment or occupation, paid or unpaid, has a responsibility to discharge a duty of care towards a child.

Now, Mr. Speaker, you can see that the list of reporters is extensive, to ensure that everyone who is connected with children is protected.

The repeal and substitution of section 32E — assessment and investigation of report by Department, introduces enhanced procedural requirements. Under this section, the Department must, within three days of receiving a notification and statement of abuse or neglect, assess the information, evaluate the situation, and determine whether to refer the notification to the Commissioner of Police for further action, or inform the individual responsible for the child's care and custody. However, such communication must be avoided if it risks causing physical or emotional harm or endangering the child's safety.

Additionally, section 32E permits the Department to provide updates to the notifier of abuse if the notifier is a registered practitioner, teacher, principal, counsellor, or other employee or volunteer at an institution established for the care and education of children. These updates must be limited to information that aids in delivering services to the child. Furthermore, the confidentiality provisions regarding the notification of abuse or neglect under section 32C of the Children Act are extended in the Children (Amendment) Bill to encompass individuals who receive updates or shared notifications and statements from the Department under section 32E.

The proposed section 32F provides for certain persons with whom, and certain instances in which, the Department may share updates, notifications and statements.

The proposed section 32G introduces critical measures to ensure the protection of children. It mandates that all public authorities and private entities where individuals hold positions outlined in section 32A(2) of the principal Act must establish a written policy detailing safeguarding procedures, as well as protocols for reporting child abuse and neglect. Furthermore, these entities are required to provide training to individuals in these positions within the prescribed timeframe, reinforcing the commitment to creating a safe and secure environment for our children.

The proposed section 32H provides for restrictions on employment in positions under section 32A(2) of the principal Act. It is proposed that such

persons are to be subject to a prescribed screening process.

Part IV of the Children Act is entitled "Care and Supervision.". The Children Bill includes the insertion of section 35A - care plan. This section allows for the Department to prepare care plans when they apply to the Court for care orders under the existing section 33 of the Children Act. Care plans will have corresponding regulations that prescribe the information in the care plan and the plan for future care of the child which may include expectations of parents and of persons with parental responsibility.

Part IV also introduces sections 38A and 38B, granting the Court authority to mandate participation in a treatment program for a party involved in family proceedings if the Court determines that such participation would enhance the party's involvement in the child's life. Additionally, these sections empower the Court to order drug testing for a party connected to family proceedings when such an order is deemed to be in the child's best interests.

The insertion of section 40A - power to include exclusion requirement in interim care order, is modelled after the United Kingdom's Children Act, 1989. This section empowers the Court to exclude a person from a specific location while an interim care order is in effect if the Court determines that such exclusion would prevent the child from suffering or being likely to suffer significant harm.

The Children (Amendment) Bill includes the insertion of a new Part titled, Part 4A - Freeing a child for adoption, which includes an order freeing a child for adoption. The Department can apply for this order when a parent has failed to meet the objectives outlined in the Care Plan, as specified in section 35, within the designated time frame. The Court may grant the order if it determines that it is in the best interests of the child. Grounded in international precedent, this provision also seeks to address concerns that children remain in foster care without parental engagement, preventing permanency planning due to unreasonable withholding of consent for adoption by parents.

Part 4A also includes provisions for the revocation of an order freeing a child for adoption. If a child has not been adopted or does not have a permanent home with the person they were placed with for adoption after 24 months, the former parent may apply to the Court for the revocation of the order. If the Court approves the application, the former parent's parental responsibility may be reinstated.

Part V of the Children Act is titled "Protection of Children". The Children (Amendment) Bill includes the following proposed amendments to Part V: the insertion of section 46A - power to include exclusion requirement in an emergency protection order. This addition is based on the United Kingdom's Children Act 1989, and allows for the Court to exclude a person from a place when an emergency protection order is in effect if the Court is satisfied that by excluding that person from the

location, the child will no longer suffer or be likely to suffer significant harm.

Part V, section 49 of the Children Act has been repealed and substituted. The new version, titled "Removal and Accommodation of Children in Cases of Emergency," expands upon the previous provisions, which only allowed the police to remove children in emergency situations, considered "interim emergency protection." However, the previous section lacked a clear process for placing the child after removal, requiring the police to contact the Department for placement. The revised provisions now permit either a constable or an officer of the Department to remove a child to a suitable accommodation or prevent the child's removal from a health care facility if it is believed that such an action would cause significant harm to the child. No child should remain in interim emergency protection for longer than 72 hours.

Insertion of section 49A mandates that all entities and public authorities providing services for children or young persons must have a written safeguarding policy in place. Additionally, these organisations are required to ensure that their employees undergo training of safeguarding procedures within a prescribed period.

Section 50 of the Children Act has been amended. This section outlines the Department's duty to investigate where there is concern that the child is in significant harm or there is an emergency protection order for the child. The amendments in the Children Bill include repealing and replacing subsections 9 and 10 and introducing subsections 11-13. The basis of this amendment is that, for the purpose of the Department's duty to investigate, the Department can request information from the following—

- (a) the Royal Cayman Islands Police Service;
- (b) a public authority;
- (c) an educational institution;
- (d) a health care facility;
- (e) a person under section 32A(2);
- (e) a non-profit organisation;
- (f) an organisation engaged in the delivery of services to children;
- (g) a youth organisation;
- (h) a sports organisation; and
- (i) a body or person that provides services in the field of—
 - i. child protection and child care services;
 - ii. education; or
 - iii. health.

The disclosure of information within a request can be exempt if the disclosure involves information that would be privileged from production in legal proceedings on the ground of legal professional privilege, or if the disclosure would be in contempt of court.

Recovery of abducted children has been amended in the Children (Amendment) Bill under section 53 to increase the fine to thirty thousand dollars or

to imprisonment for a term of five years. There is the proposed repeal and substitution of section 54 which is now titled "Abduction of child by parent, person with parental responsibility or guardian". This section outlines an offence where a parent, a person with parental responsibility for a child or a guardian of a child, takes or sends the child out of the Islands without the appropriate consent of the parent, person with parental responsibility, or guardian.

Part VI - Community Homes, has been repealed in the Children (Amendment) Bill.

Part VII - Voluntary Homes and Voluntary Organisations has been repealed in the Children (Amendment) Bill.

Part VIII - Registered Children's Homes has been proposed for repeal in the Children (Amendment) Bill.

Under the Children (Amendment) Bill, Part 5A - Children's Homes has been inserted. This Part replaces repealed parts VI, VII and VIII.

The Children's Home Part was introduced in the Children (Amendment) Bill to provide one registration process and inspection requirements for all children's homes. The Part outlines the registration of children's homes, application for registration of children's home, grant or refusal or application, variation or imposition of conditions, cancellation of registration, right to make representation, decision of the Commissioner for Children and Young Persons, reconsideration of decision, as well as an appeal process. The Part also speaks to persons disqualified from carrying on or being employed in children's homes.

Part IX - Private Arrangements for Fostering Children has been proposed for repeal in the Children (Amendment) Bill.

Part X - Child Minding and Day Care for Young Children has been proposed for repeal in the Children (Amendment) Bill.

Part XI of the Children Act is titled "Governor in Cabinet's and Governor's Supervisory Functions and Responsibilities" and the Children Bill includes the following amendments to Part XI, including the repeal and substitution of the heading to read as "Supervisory Functions and Responsibilities of The Commissioner for Children and Young Persons, The Cabinet and The Governor". Mr. Speaker, it's making the alignment with the updated legislation to include the Commissioner for Children [and Young Persons]. The proposed amendments include inspection of certain premises by the Commissioner for Children and Young Persons.

There is the proposed insertion of Part 11A of the Children (Amendment) Bill, which establishes the Office for the Commissioner for Children and Young Persons which includes the functions, powers, references to the United Nation Convention on the Rights of the Child ("UNCRC"), involving children and young persons in the work of the Commissioner for Children and Young Persons, salary and emoluments,

independence, staff, advisers, youth advisory panel, provision of reports and other documents.

For Human Resource purposes, it is anticipated the Commissioner for Children and Young Persons appointment will be under the Public Service Management Act (2018 Revision) by the Governor. The appointment is to be by the Governor after consultation with the Premier and the Leader of the Opposition. The Commissioner for Children and Young Persons is accountable to Parliament through the publication of reports and in the discharge of functions outlined below and in section 83B of the proposed Children Bill.

The Commissioner for Children and Young persons will be required to complete strategic plans and annual reports and include publication and anonymity requirements of reports and plans published.

In addition to the above, Part 11A includes provisions for Immunity, Indemnity and Regulations.

The role of Commissioner for Children and Young Persons will be dedicated to safeguarding and advocating for children and young persons within the Cayman Islands. The provisions of the Children (Amendment) Bill propose the functions of the Commissioner of Children and Young Persons to include promoting the harmonisation of legislation and policy with the UNCRC and any other European or international treaties or conventions protecting the rights of children and young persons, which extend or apply to the Cayman Islands. The role of the Commissioner for Children and Young Persons is proposed to also monitor the implementation of these treaties.

I would encourage Caymanians to express interest and think about qualifications in this area as we develop the role of Commissioner for Children and Young Persons. Based on the expected positive impact on the community and underpinning of the foundation and social fabric, this post will have the potential to empower many. The Commissioner for Children and Young Persons is proposed to promote the awareness and understanding of rights of children and young persons through education and promotion and provide advice and recommendations on the rights of children and young persons. Furthermore, the Commissioner for Children and Young Persons can review services provided for children and young persons, look into or formally investigate any matter relating to the rights of children and young persons, and intervene in relation to legal proceedings or complaints against relevant authorities.

The proposed legislative framework for the Commissioner for Children and Young Persons has been widely mirrored by the Commissioner for Children and Young People (Jersey) Law 2019, and the Cayman Islands Ombudsman Act (2021 Revision).

Part XII of the Children Act is titled "Miscellaneous and General" and the Children (Amendment) Bill includes the following proposed amendments to it, including insertion of section 95A titled "Amendment of Schedules" which allows Cabinet to amend Schedules

other than Schedule 10 by Order. Cabinet may amend Schedule 10 by Order subject to affirmative resolution.

Within Part XII of the Children (Amendment) Bill there is a proposed insertion of sections 93A and 93B which speak to the “incompatibility of other legislation” and “protection from liability for disclosures made pursuant to this Act” respectively. The incompatibility of other legislation is that no enactment or law prohibiting or restricting the disclosure of information shall stop a person from furnishing the Department with any information required for the discharge of the duties of the Department under this Act. Furthermore, a person who discloses information as a requirement of this Children (Amendment) Bill and has acted in good faith, shall not incur any civil or criminal liability or be liable in disciplinary proceedings for the disclosure.

Throughout the Children (Amendment) Bill, “Governor in Cabinet” has been replaced with “Cabinet” as well as references to “him”, to make the provision gender neutral where applicable. Furthermore, Mr. Speaker, where there is a reference to “married” in the Children Act, the Children (Amendment) Bill has been amended to include the words “or in a civil partnership”.

There are 10 schedules in the Children Act. The following Schedules have been proposed for amendments or repeal in the Children (Amendment) Bill.

Schedule 1 which is titled “Financial Provisions for Children” has been amended in the Children (Amendment) Bill to propose that where there is an existing order under the Children Act for the payment of money for the benefit of a child and that child enters the care of the Department, the Department [shall be] responsible for ensuring that the payments are received in respect of the child in accordance with the existing order, and the courts may direct that the payments shall be made to that Department for the benefit of the child.

Schedule 1 is also amended by removing the specific maximum lump sum which may be ordered by the court under an order for financial relief. This Schedule also incorporates the relevant provisions of the Maintenance Act that relate to children in order to have the framework under one legislation and hence the Maintenance (Amendment) Bill, 2024 being brought forward, Mr. Speaker.

As mentioned earlier in my statement regarding the Department of Financial Assistance, one of the changes to the policy is that no parent with children who applies for financial assistance should be made to seek maintenance in order to receive financial assistance. Once further options for the Government to seek maintenance on behalf of parents have been researched and presented, I anticipate that changes to this Schedule will be forthcoming and made by Cabinet through an order.

Schedule 2, Mr. Speaker, which is titled “Department’s Support for Children and Families” has been amended in the Children (Amendment) Bill in paragraph 6 by proposing the repeal of the existing

paragraph 6 and substituting that **“the Department shall provide services to children with disabilities which are designed—**

(a) to minimize the effects of the disabilities of those children and

(b) to give those children the opportunity to lead their lives on an equal basis as persons without disabilities.”

Schedule 3, Mr. Speaker, which is titled “Supervision Orders” has been amended in the Children (Amendment) Bill and proposes an increase to the fine in paragraph 17, which refers to where there is an education supervision order in force and a parent of a child persistently fails to comply with the order committing an offence under this paragraph is liable on summary conviction to a fine of \$5,000 or to imprisonment for a term of six months, or both.

In the Children (Amendment) Bill, Mr. Speaker, there is the proposed insertion of Schedules 3A and 3B. Schedule 3A is titled “Matters not subject to investigation by the Commissioner for Children and Younger Persons” and Schedule 3B is titled “Advisory panel”.

The “Matters not subject to investigation by the Commissioner for Children and Young Persons” includes—

- Action taken in matters certified by the Governor to affect relations or dealings between the Government and any other government or any international organisation of States or Governments.
- Action taken in matters certified by the Governor to affect defence, external affairs or internal security.
- The commencement or conduct of civil or criminal proceedings before any court of law in the Islands.
- Legal advice given by or on behalf of the Attorney General or the Director of Public Prosecutions to the Government or to any public body; and
- any action which, by virtue of the Constitution, may not be enquired into by any court, to name a few.

Mr. Speaker that is an outline as to how far the Commissioner can go with her or his powers. I don’t know why, but in my mind I see the Commissioner of Children and Young Persons being a “her”. I hope it is; women have a special way of caring for the future.

The Advisory Panel will be made up of six persons aged 13 to 24 who will be Cabinet appointed and will consist of—

“(a) one person from the district of Bodden Town in Grand Cayman;

(b) one person from the district of East End in Grand Cayman;

(c) one person from the district of George Town in Grand Cayman;

(d) one person from the district of North Side in Grand Cayman;

(e) one person from the district of West Bay in Grand Cayman; and

(f) one person from Cayman Brac or Little Cayman."

Schedule 10 is titled "Amendments, transitional provisions, savings and repeals" and transitional provisions have been proposed for the Commissioner for Children and Young Persons such that the Governor may make any transitional arrangements for the appointment of the first Commissioner for Children and Younger Persons as may be appropriate for the establishment of the office of Commissioner for Children and Young Persons. Additionally, there are proposed transitional provisions for privately fostered children as a result of the repeal of this section and children's homes as a result of the introduction of this registration process.

Schedule 4 entitled "Management and conduct of community homes" is proposed for repeal.

Schedule 5 entitled "Voluntary homes and voluntary organisations" is proposed for repeal.

Schedule 6 entitled "Registered children's homes" has been proposed for repeal.

Schedule 7 entitled "Foster parents: Limits on number of foster children" is proposed for repeal.

Schedule 8 entitled "Privately fostered children" is proposed for repeal.

Schedule 9 entitled "Child minding and day care for young children" is proposed for repeal.

Mr. Speaker, it is important that I reiterate, just in case somebody misses the whole debate, that though all these areas are being repealed they have been addressed in subsequent amendments.

The following Regulations have been proposed for repeal:

1. the Children (Private Foster Care) Regulations, 2012;
2. the Community Homes Regulations, 2012;
3. the Disqualification from Providing Private Foster Care Regulations, 2012;
4. the Emergency Protection Order (Transfer Of Responsibilities) Regulations, 2012;
5. the Refuges (Children's Homes and Foster Placement) Regulations, 2012; and
6. the Voluntary Homes Regulations, 2012.

Mr. Speaker that outlines the very comprehensive Children (Amendment) Bill and the various clauses, substitutions and repeals.

On behalf of the Government, I am very grateful for the hard work of the team, as well as the former Minister, in developing, consolidating and bringing the regulatory framework around children, particularly the Children (Amendment) Bill, up to more modern standards. I invite all Members to support the Children (Amendment) Bill, 2024 and look forward to their full support.

Thank you, Mr. Speaker.

The Speaker: Does any other Member wish to speak? *[Pause]* The Honourable Leader of the Opposition.

Hon. Joseph X. Hew, Leader of the Opposition, Elected Member for George Town North: Thank you, Mr. Speaker. I rise to make a few short comments on the Children (Amendment) Bill, 2024 and to offer the support of the official Opposition.

Mr. Speaker, I, too, want to commend all involved in updating this very important Bill. The task of safeguarding and protecting the child or every young person from harm, abuse, neglect or maltreatment or to prevent harm to the health or development of that child or that young person is a tremendous task and one that has to be taken on by the entire country.

We often use the term "it takes a village to raise a child"; unfortunately, those villages are slowly disappearing within our communities. There was a time where you didn't have to worry about getting a nanny or having a helper because you had an entire family around you to help you. You had grandparents, aunts, cousins, everyone chipped in to help raise that child or to look out. As a community, we would always look out for the safeguard and the protection of that child or that young person.

We all tell the stories of when we did something bad and someone saw it. We were more worried that we would be punished right there, on the spot by an older person if they caught you; and then, if you ran from them and didn't plead to take your punishment there and for them to not tell your parents when you got home you got an even worse punishment and there were no questions asked about it.

Mr. Speaker, I just have a couple of short comments and perhaps some questions, and I do realise that the honourable Deputy Premier, and Minister, has only been in the position for a few short weeks, so perhaps I'm not looking for a response from him, but I know that the Ministry is here as well and just some points that could, maybe, be extracted from my comments.

Mr. Speaker, I'm encouraged by some of the amendments I saw in in section 22. When we're talking about care homes, et cetera... I don't know if it is still the position or the issue whereas, if a child is in a scenario where full-time care or adoption is required but has also been getting in trouble legally; to be either—hopefully—sent to the Bonaventure Boys' Home or one of the children's homes and not sent to, I think it's still called Eagle House.

It used to be my understanding, Mr. Speaker, that there was a small gap there. Those kids who were not in a situation where they have no parental guidance whatsoever, so they enter into the care homes or orphanage, but they aren't at the point yet where they are before the courts, and it's almost, as I spoke about in a debate last week, as if the child would have to enter into the judicial system and be almost criminalised to go to one of the homes. I saw in the amendment the Government's ability to arrange a care home for a child

while waiting for a court order, and it gave me some hope that it actually applies to those kids who fall in that little grey area between getting in trouble with the law and not getting the care and supervision that they require at home.

We always talk about early intervention. I know that there are kids who enter into that programme early, but there are some who, as they go through their teenage years, there may be changes in the family, whether it's a divorce or the beginning of abuse of some sort, or just simply a teenager going through what all teenagers go through, and find themselves on a wayward path. That is the sort of early intervention I'm looking for. That might be mid-term intervention versus early intervention.

Mr. Speaker, in the same vein, when we did our review of the housing needs for the country—and I thank the Member for Bodden Town West, who spoke about this on the radio this morning. Something we identified was needed was, for lack of a better word, a 'safe house' for those kids who are between the care homes (I guess we call them now) and re-entering the real world if adoption did not happen during their period of time in the care homes. They are now at the age where the government is no longer responsible, or perhaps the care home is saying, *"Listen, I can't. This young man, this young lady needs to go out on their own."*

What we discussed was a semi-care facility—like a dormitory. It was something that we wanted to put out to private sector to see if anyone would build it. Last week we were talking about how we could enforce the fishing licence, and it came to me. I keep thinking about the size of government (hiring people, hiring people). However, with the fishing licence—not going off debate here, Mr. Speaker, but a suggestion—would be to deputise private sector persons. Just like we have special constables, we could have special constables for the Department of Environment. We could do a stipend to cover gas, et cetera, but at least they're not going into government. It's not payroll, it's not ballooning the size of the civil service.

We could do the same thing with this transition home; put it out for one of the "care" services. This would be a dormitory-style place, with cameras in the public areas and coded to get into. You would have a caretaker checking on them in the morning and evening, or periodically through the day, just to ensure that there are no guests, no visitors, and that everyone is abiding by the rules.

Once they've reached 17 or 18 they might even be living in their parents' home, but they need to get out of there for various reasons—they're just starting to work or they're in an internship programme at Public Works, and they just need somewhere safe to stay while they make that transition and, while in there, they should have access to counselling, career planning, all of these things. Just a recommendation. I don't know if it's something that needs to go into the Act, but perhaps

it may need to go into the Regulations to make provisions for it.

Mr. Speaker, I want to go back just a quick second. When it comes to the care homes and those persons I spoke about who are in that grey area, I also think there should be provisions in there for parents to have to cover the costs. I don't know if there are, maybe they can let me know.

[Inaudible interjection]

Hon. Joseph X. Hew, Leader of the Opposition: That's in there? Okay, great. The last thing

Mr. Speaker, before I wind up. I'm happy to see clause 44 [the repeal and substitution of] in section 54, dealing with the abduction of children by parents, guardians or persons with responsibility. As a representative, this is something that you come by way too often, especially in Cayman's community where we are so multinational and, in a sense, transient. Out of the blue, you have a parent taking the child on vacation and not coming back, and all these sorts of things.

I'm happy to see that they've strengthened the rules on this, and there's a fine of \$30,000—not 'up to'. It reads clearly: a fine of \$30,000 or a term of five years, (not 'up to' five years) or both. I'm encouraged to see these new fines and penalties for the abduction of a child, because it is happening way too often.

With those few words, Mr. Speaker, I'd like to offer my support and the Official Opposition's for this Children (Amendment) Bill, 2024.

Thank you.

The Speaker: The honourable Member for West Bay West.

Hon. W. McKeeva Bush, Elected Member for West Bay West: Thank you very much, Mr. Speaker. Ever since I saw the Bill and knew the Bill was being worked on, I had to think back (and I sat here today, doing the same) to just how much the world has changed and changed much it has, especially with the onslaught of technology and these things called smartphones.

Mr. Speaker, how much it has changed since I moved the Bill, I think in 1994; it was me and Ms. Seymour, who was a Permanent Secretary at the time. Back then, Cayman had begun to change. The world has changed, and Cayman is changing with it. As I stated a couple of days ago, things that impact large communities in metropolitan countries are impacting Cayman today for several reasons. One, as I said, is technology; and another is the various cultures within our borders.

There is much for us to do, besides the administrative measures which need to be done. There's need to keep children and young people safe online. It seems every child has an iPad or smartphone—and they're smarter than us. Those children are smarter than us. They know if you're watching them. Don't think

they don't have inquiring minds; they do, and not all that they find themselves in is good. Programmes need to be put in place where we are working with parents and other carers to gain the skills and confidence that parents need, to help keep children safe online so that they can respond appropriately to any concerns.

I think from what I have been reading, there are many avenues online for safety training that could be developed in association with education. The various other child protection units that we may have could easily help parents. Now, some parents might not be able to go online, so that's where government comes in to work with it. Don't think that that is a joke. Parents, you have to...

I raised two children and, of course, loads of children in the community; and five grandchildren, two of them in their twenties. You work, you listen to older parents, your parents, their grandparents and you have help from that avenue, but most of them are gone now too, so we took it on by trial and error sometimes. Sometimes you may have thought you were doing the right thing, and then found out the child wasn't being helped at all.

There is much that needs to be done besides the various things that are going to make child care better, from a governmental standpoint. There are new, and I would say emerging, harmful situations online. Sex relationships and online bullying. That's one of the biggest things that we have to deal with as a growing country, because some people believe that they can say anything, write anything. They don't care whether they lie, if they can just get somebody to listen or buy something. What do the children learn and, most of all, what do the parents learn?

I believe there are things that we can do to develop a better understanding about how children use the internet and technology, and the new and emerging online harm of sex and relationships online. Keeping children safe from sexual abuse online; the risks children may encounter online; harmful content online; online radicalisation and extremism—that's happening.

They are learning that "*Oh, Jesus might have been born a woman.*" Can you believe? That's the stuff that is online; and worse, is the idea that they want to impregnate here—that a boy was born to be a girl and a girl was born to be a boy. They're trying to put that in our children's minds and some people are buying it. That's the thing that bothers me. What else bothers me is the sharing of personal content and nudes, as I said earlier, bullying online.

We have much that we need to do, as a community, in supporting parents and the carers of children and I believe we can do some of it from a community standpoint. To be able to have parental research so that parents can understand how the online world can impact children and young people positively and negatively, and identify the ways children and young people communicate and interact online.

I am hard on that this morning because I have seen so many things over the last couple of months and years. You have to wonder why these people think... how they have so much time to sit down and write some of the stuff that I see. The foolishness! When it was not made for that; it was supposed to be something educational, this highway that Reagan talked about. The internet. Now we have, as I said, a changing Cayman for many reasons.

From a community standpoint we need to look at the various programmes that can help parents and caregivers for children to better understand what is happening, because some of the parents are not... Maybe they don't have the time, but we need to help them understand that they have to take the time, because it's not all about providing a meal; you have to do that, but it's not all about buying a pair of sneakers or spending a load on the most-fancy clothes. It's much more than that and you need to take time, the way that I see this world is shaping up. Mr. Speaker, I could go on.

As I said, I had the responsibility twice—first to bring the Bill, and then the Amendment in 2012. That would have been eight years, and times had changed by then, much less since then till now, and we are just getting comprehensive amendments to the law that, I hope, will address some of the newfound and hard things that children and young people are facing right here today. Many things are not happening, but they see it online.

Thank you, Mr. Speaker.

The Speaker: Does any other Member wish to speak? The honourable Member for West Bay Central.

Ms. Katherine A. Ebanks-Wilks, Elected Member for West Bay Central: Thank you, Mr. Speaker.

Mr. Speaker, I rise to contribute to the Children (Amendment) Bill, as we've all spoken this morning, and this is a very important Bill. The Bill enhances the protection of children in our country, and introduces stronger measures that ensure child protection laws better align with international best practices.

The Bill represents a major step forward in our commitment to protecting and safeguarding the welfare of our children, ensuring that we uphold their rights. More specifically, the Bill amends the Children Act (2012 Revision) and, amongst other things, clarifies the process for transferring a child to secure accommodation. It introduces care plans, and new provisions regarding children's homes and increases fines and penalties for certain offences to strengthen effectiveness and act as a deterrent.

Two other important aspects of the Bill amend the disclosure and information-sharing provisions relating to the Department of Children and Family Services, and establishes the Office of the Commissioner for Children and Young Persons. I would like to point out that in the Bill, young persons are defined as persons

between the ages of 18 to 24. While they may not represent the largest voting group, persons 18 to 24 are an underserved group in our society, and I thank the former Minister for this innovation to specifically include them during this pivotal period of transition in their young lives. We recognise the challenges this group faces, and we remain committed to supporting them.

As proof of this commitment, I'm pleased to say that the former Minister for Social Development has confirmed that he will participate in the upcoming youth-led Candidate Forum, a forum organised by young persons in this very age group (18 to 25), who care enough about what is going on, to organise an event so that young persons can hear first-hand from candidates in the upcoming election. These students are organising this event while they're all busy overseas, preparing for the year end and finishing up their term papers, so they're watching us and paying close attention. Although I'm unable to attend due to previous commitments, I'd like to take this opportunity to personally thank these young people for their commitment, their maturity, and professional engagement in matters of national importance.

Returning to the Bill, Mr. Speaker, it includes a range of enhanced powers that can be exercised by the Court to safeguard children, and also introduces an advisory panel specifically to examine and advise on children and young persons.

I would like to take a moment to thank the Honourable Deputy Premier, and present Minister of Social Development, for bringing this Bill forward for debate. I would like to thank the former Minister for the outstanding work done over two years. Work that is innovative and forward-thinking, and shows the world that we are serious about protecting and safeguarding our children.

I would also like to take this opportunity to thank the hardworking staff of the Ministry of Social Development. Over the past couple of years, whether working in West Bay, or more recently while receiving presentations in Caucus, the former Minister would often say how impressed he was with the acumen, dedication and professionalism of the Ministry team led by Chief-Officer Tamara Ebanks, who worked in coordination with the knowledgeable, experienced, and hardworking staff of the Department of Children and Family Services, led by Ms. Paulinda Mendoza-Williams.

Last, but certainly, by no means least, as someone who has previously worked in the Attorney General's Chambers, I witnessed first-hand the amount of work and unique legal skills that are required of the legislative drafting team and they, too, deserve our appreciation for their contributions to this and all Bills presented in Parliament.

Mr. Speaker, the Cayman Islands Children (Amendment) Bill, 2024 is a statement of our values and approach to protecting our children. It demonstrates our unwavering commitment to safeguarding the rights of every child in our society. We are called upon as Members of Parliament to be the protectors of

our future to ensure that every child has the opportunity to grow up in a Cayman Islands where they feel safe, valued, and supported. In passing this Bill, we are making a strong and necessary statement that the children of the Cayman Islands deserve our best efforts to create a future in which they can thrive. We are ensuring that we take every possible measure to protect their well-being; to empower their voices, and to provide them with the tools they need to succeed.

In conclusion, I urge all Members of this House to support the Cayman Islands Children (Amendment) Bill, 2024. Let us unite in this important cause for the protection and advancement of our children and young persons who are the future of our country.

Thank you, Mr. Speaker.

The Speaker: Does any other Member wish to speak?
[Pause] Does any other Member wish to speak?
[Pause] The honourable Member for West Bay South.

Mr André M. Ebanks, Elected Member for West Bay South: Good afternoon and thank you, Mr. Speaker. I rise to contribute to the debate on the Children (Amendment) Bill, 2024.

I start, Mr. Speaker, with a quote from former United States President Franklin Delano Roosevelt: ***"We may not be able to prepare the future for our children, but we can at least prepare our children for the future."***

Out of all the social development Bills that are put forward for debate in this House, in this Meeting, this one has slightly more special meaning for me; although there was hard work, it was enjoyable. Mr. Speaker, there were countless hours with the team to set the strategy, develop policy objectives and priorities, and keep the legislation at pace so that it could be done before the end of 2024 because the Principal Act is a massive piece of legislation, and has not received any material enhancement since 2012.

I look over the Bill, and think of the major enhancements that were outlined by the Deputy Premier. The Bill is extensive. It took the Deputy Premier, as it should, significant amount of time to outline the clauses of the Bill. The major advances in terms of the increase of fines and penalties to give effect to the legislation, to act as a deterrent to protect our children. The groundbreaking, historic Office of a Children Commissioner; having care plans and enhanced provisions for children's homes and secure accommodations. It is needed, Mr. Speaker, but out of all the pieces of legislation, when we were designing this one it hit home for me because it took me back to my own childhood.

Being raised by my father and mother in Brooklyn, New York, in the late 70s and 80s, the living was hard. New York was far from safe. The streets were cold and mean and I saw, first-hand, the effects on children who lived in sub-standard accommodation with a range of social challenges, and how easy it is to go off track. For my sister and I, we had the gift of two hard-

working parents who were immigrants to take themselves from lower economic tiers, to try to get to the middle economic tier, but when I look upon the need for this legislation, not everyone has that safety net at home.

In a way, Mr. Speaker, it's somewhat sad that Cayman has come to this, because I remember traveling back and forth from Stateside to Cayman to visit family when I was younger, and life seemed so much slower and easier. Doors were open, windows were open, people came and went as they pleased. You did not have to worry. Leaving today, I have to set my House alarm—and never would I have imagined that the crime you were exposed to as far back as the 70s and 80s in New York would emerge here in Cayman. The shooting at Ed Bush Field, with someone going into a crowd and firing indiscriminately, is almost unbelievable.

That's why we need these interventions; to try to catch young people before they turn to hardened crimes. That's why this legislation has to keep pace and still, there must be more work to be done. With the amount of wealth in this country, it burns on the inside, Mr. Speaker, that we need a food bank, and that even that food bank struggles to meet its demands so I urge all Members that we vote in favour of this legislation. Overall, out of all the provisions that were outlined by the Deputy Premier, what we're really saying is that we're trying to give our children and young people a fighting chance, when they don't have that social safety net at home, to help them meet their maximum potential.

Mr. Speaker, the Member for West Bay West talked about the advent of social media. The speed of information—what children are able to absorb, unguarded—is another area that will have to be tackled, but Mr. Speaker, I think our duty today is not just the passage of this legislation.

In the same vein of knowing that children and young persons are watching us either now or in the future, as we carry this legislation through to passage they will also watch our conduct between each other. This debate seems squarely focused where it should be: on the children and young persons; and yes, we know there'll be sharp exchanges which are expected for policy views, current affairs. We've sat in Youth Parliament and heard them give some fantastic zingers, as they should—that's democracy.

However, as legislators who they're looking up to we should aim as much as possible, at all times, to ensure facts and figures are right. That we don't delve into personal areas. That they don't see Caymanians tearing each other down outside of policy and democracy. We should be proud of what each other have accomplished in all of our capacities. We should explain, that when anyone comes forward for Supplementary funding when there are budget shortfalls, particularly in social development, it's not because of what they want,

but because essential services need to be provided for our people.

Mr. Speaker, let us show our children and young persons that above all, we will utilise this House for the higher objective it is meant to pursue: to protect and defend our people and solve problems—and not interpersonal, with each other. A strong example of that, is working across the aisle which we will come to as Members would have seen a Notice of a Committee Stage Amendment to try to improve this legislation even further to allow for restitution payments to be paid to the surviving guardian of a child whose parent has lost their life due to certain criminal acts of a person.

The Deputy Premier and I, he saw the initial Committee Stage Amendment, saw the purpose of it, what it means to the Grant family—and others—where Shemaiah Grant was struck down by a drunk driver. From where the surviving guardians, who are grandparents, get the money to continue to help his children? If they're making a particular income level, then they can't apply for financial assistance. Who helps them, when it is no fault of their own because we've said it many times in this House: reckless and drunk driving in this country is out of hand. We're turning cars into weapons, that's what you're doing.

I'm sure all of us have experienced it. Somebody zipped by you and you are doing 40, and they move past you like you're not even moving. That is a weapon. We got three-lane roundabouts now and you got people making a right from the left lane, and then a right from the left lane, crossing all over traffic, stopping cars in the middle of the roundabout. We have to figure out more and more ways to deter people; this is not acceptable, it is a weapon, and if you take someone's parent from them, then you're going to have to make restitution. It's not fair to our families.

For the Deputy Premier to see the value of it, take my feeble attempts to legislative drafting, give it to the legislative drafters to make the enhancement and bring it in line with the standard... I'll get into it during Committee Stage, but my sole purpose was to try to make Ms. Cheryl Neblett proud that I was actually listening to her at all her drafting sessions. I was so nervous about it, I even had a few typos that I normally wouldn't have because I was so focused on the actual legislation; but I thank the Deputy Premier for that work across the aisle, Mr. Speaker—for that higher purpose that I mentioned we're meant to serve.

One last point, Mr. Speaker, just to bookend a conversation that was in the Older Persons Act, that I want to say here, is that “vacant lot” of adult safeguarding. We've upgraded and, hopefully, by the end of today will pass the Older Persons and Children Acts, but nothing in between is on the books for adult safeguarding.

I'm so happy, that in his round up of all the Ministry staff in the Older Persons Bill, the Deputy Premier mentioned both Deborah Webb-Sibbles, whom I call Ms. Debbie, and Rayle Roberts, because they were

part of the mission at the beginning. Ms. Debbie's work with older persons is well known and well documented, but what might not be known is the passion she put in the subject area of adult safeguarding, too. She wrote me a long, ten-pound email to say, "We've got to get to this gap". There's only so much you can do in a term. You have to pick your battles, you got to bite down on your priorities and try to get to them because if you try to do everything, then maybe nothing happens so, Ms Debbie: I heard you, I think the House has heard you and, just to bookend it here, it's a cause that I hope gets tackled in the next Administration.

With that, Mr. Speaker, it's just left for me to thank the Government, and the Deputy Premier in particular, for moving this massive step forward for this legislation which is not politics; it's our people, it's our future. I close with former US President Lincoln: ***"Teach the children so it won't be necessary to teach the adults"***.

Thank you, Mr. Speaker.

The Speaker: Does any other Member wish to speak? The Honourable Deputy Governor.

The Deputy Governor, Hon. Franz I. Manderson: Mr. Speaker, thank you. I will be brief.

Mr. Speaker, I want to thank the Deputy Premier and the Government for bringing this Bill, and also the former Deputy Premier for the work that has been done.

Mr. Speaker, one of my roles and responsibilities in the civil service is to Chair the Child Safeguarding Board, which is charged with overseeing the safety and welfare of our children. We have the Police, we have Education, we have the Social Development Ministry, we have the Ministry for Youth, the Ministry of Health—all coming together to look at how best we can keep our young people safe. I want to go on record and thank Ms. Cetonya Cacho, in my office, who has been leading on this initiative and doing great work. I want to recognise all Members of the Safeguarding Board for the amount of work that they have put in to ensure that our children are well taken care of.

Mr. Speaker, we are doing so much. The Government has invested millions of dollars in the welfare of our children. We all know our Minister of Education's passion for her students. During her time, we have employed more counsellors and persons to deal with our special needs students than ever before. Our team in the Department of Children and Family services has put in intervention programmes to deal with our children who are at risk, who find themselves before our justice system.

The team in the Ministry of Youth is working closely with our young people. I think the Proud of Them initiative is amazing, it highlights and shows our young people that there are outstanding members of our community who, as young people, are doing amazing things in this country because the old adage that

they are our future is not just words, it is the truth so Mr. Speaker, it is all that we are doing: working.

Mr. Speaker, I had a look at our population over the last twelve years per the Compendium of Statistics that was published recently. I think we have grown by about 47 per cent. I looked at what has happened with juvenile crime in our country and, Mr. Speaker, I am pleased to say that despite the rise in population juvenile crime in our country is on the decrease. I hope I have my figures right, please forgive me if I don't, but it is something that I pay attention to.

In 2011—and again, Mr. Speaker, I am speaking from memory—approximately seventy young people were before our courts for juvenile crime; in 2023, that number was in the low twenties. I think the percentage was over 70 per cent decrease in young people before our courts, and the majority of those persons were there for traffic offenses not serious crime.

Mr. Speaker, that tells me that with the work the civil service is doing, the investment the government has made, the joined approach with all of us working together, we are seeing some tangible results. Yet, I said that to one of my team members, and as I talked about the reduction in juvenile crime their response was, *"Yes, Deputy Governor, we see that, but there's also, unfortunately, an increase in suicides. There's an increase in attempted suicides by our young people"*, so Mr. Speaker, this Bill cannot be timelier. The time is now for us to continue to pivot, to be creative, to do everything possible to look after our children.

Mr. Speaker, I want to highlight one aspect of the Bill, namely, the appointment of the Commissioner for Children and Young Persons. I believe that just this one part of the Bill can be a game-changer in our beloved Cayman Islands because if I ask my team right now, *"Who is responsible for the welfare of our children?"*, there are a number of agencies, but there's not one person, one individual, overall, who has that responsibility.

If I say, who is responsible for ensuring there is no maladministration in the civil service, somebody will say the Ombudsman. If I say who is responsible for prosecutions, you're going to say the DPP, if you ask who is responsible for police and crime, you will say the Commissioner of Police. Now we are going to be able to say who is responsible for overseeing the welfare of our children, and it is going to be the Commissioner of Children and Young Persons.

It means this person who, like the Auditor General is independent of the civil service, is a watchdog that can oversee what's going on in the civil service. Their job, Mr. Speaker, is to hold myself and my team of civil servants accountable and I welcome that, Mr. Speaker, because it is the right thing to do to have someone step back from the everyday work of the amazing team that is looking at children right now, and say, *"Are you doing these things correctly? Are they timely? Is what you're doing actually working?"*

Mr. Speaker, I think the responsibilities and the functions of the office are excellent. I've read through them, and there are a number of things that I think are going to make the Commissioner's Office work exceptionally well. There is something that the AG and I spoke about earlier that I think we may need to tweak which I'll bring to the attention of the Deputy Premier but, Mr. Speaker, today is a great day for our children.

Deputy Premier, thank you for championing this. Former Minister, thank you. To the amazing team over here, thank you. The team in Social Development, the team in the Department of Children and Family Services, the team in the Ministry of Health. Our educators, Mr. Speaker, who do a really great job of looking after our children and reporting incidents of needs for child safeguarding. The majority of investigations start with our teachers; the work they do cannot go unnoticed, Mr. Speaker. Nor the work of the police, the work of our Multi-Agency Safeguarding Hub (MASH) unit, the work of the Ministry of Youth.

I thank everyone for all they do to make our children's life a bit better and I thank the Government for bringing this Bill.

I thank you, Mr. Speaker.

The Speaker: Honourable Members, before we have lunch, we have a treat which we've had for the last three or four years. We are going to be regaled with Christmas carols by a number of school children who are waiting for us in the lobby.

I will now take the luncheon suspension, but, before we head to the dining room, can we all go into the lobby and enjoy our school children Christmas carols.

Proceedings suspended at 1:02 pm.

Proceedings resumed at 2:32 pm

The Speaker: Parliament is resumed. Continuing debate on the Children (Amendment) Bill, 2024.

Does any other Member wish to speak? Does any other Member wish to speak? *[Pause]* Does any other Member wish to speak? *[Pause]* If not, I'll invite the Honourable Deputy Premier to exercise his right of reply.

Hon. Kenneth V. Bryan, Deputy Premier: Thank you, Mr. Speaker. I want to say thanks to all of my colleagues who added contributions to the proposed Children (Amendment) Bill, 2024.

Mr. Speaker, I'll start by thanking the former Minister for his highlighting of collaboration across the aisles of this honourable House, and saying that we have worked together to make some changes, which I will speak to later on. It shows this Parliament's maturity, that in the best interest of the good people of the Cayman Islands, particularly children, Members of this

House regardless of political views and sides, we will do what's—

The Speaker: Honourable Deputy Premier, I'm sorry to interrupt you, but there appears to be something wrong with the Parliament's telecast. I see the monitors are still showing—

[Inaudible interjection]

The Speaker: Okay. I'll pause for a few minutes just to see if it's something we can address quickly; if not, we'll have to soldier on without the telecast.

[Pause]

The Speaker: The Honourable Deputy Premier to continue his wind up.

Hon. Kenneth V. Bryan, Deputy Premier: Thank you, Mr. Speaker. In the interest of making sure that all outside of this Parliament are aware, I'll start by saying thank you again, to all Members who contributed to the debate on the Children (Amendment) Bill, 2024.

I think all Members have indicated their support, which is positive. I will start by thanking the former Minister for his partnership in ensuring that this Bill is brought to Parliament, and to concur and support his position about working together across aisles, as there is a proposed Amendment to ensure that children who are affected by the loss of a parent due to a criminal act, will get the financial support necessary due to the loss of the parent's income.

I'll leave that for Committee Stage, but I thank him for his recognition of that very important gap where other jurisdictions have done the same. To the Grant family: the Member worked very, very hard on your behalf, to ensure that this Amendment is named after the sad loss of Mr. Grant. It's justified to have the amendment, and I look forward to further discussions at Committee Stage.

[Desk thumping]

Hon. Kenneth V. Bryan, Deputy Premier: Mr. Speaker, I'll move on by addressing the Honourable Leader of Opposition's concerns as they relate to the Department of Children and Family Services' programmes for aftercare; the gaps of persons who may not necessarily be in the age bracket of the care programme, and whether there could be transitional housing.

The current aftercare scheme exists for 16 to 21 years-old, Mr. Speaker, and the Bill intends to increase that to age 24 years. That's an extra three years of transitional help for young persons, hence the name of the Bill or when we refer to the Commissioner for Children and Young Persons; we couldn't call a person aged 21 or 24 a child.

As the Honourable Leader of Opposition mentioned, the transitional housing is an independent housing which is lacking within our community. From now, until this administration concludes at the election, I will do everything I can, within this administration's power, to start to look behind the scenes from a policy-change perspective, as well as potentially formulating the plan, to acquire the facilities to assist in this way. We spoke extensively in the last Sitting of the House about social development housing in its various forms. The Department of Children and Family Services would welcome this, and they would assist with aftercare schemes. The department offers and provides placement for persons engaged in aftercare programmes offered by the department.

Mr. Speaker, the Leader also highlighted child involvement in the judicial system. The Cayman Islands need is there. As of November 2024, we have around forty-seven children under the age of 18, between residential care and residential foster homes. The introduction of Part 4A—Freeing a child for adoption, is a step in the right direction for this, as the Order will allow for a child to be adopted if the parents are not engaging or unreasonably withholding the consent, as the Honourable Leader of Opposition has raised concerns about the fact that children may be waiting to be adopted and have no place to go, Mr. Speaker. All children should have a sense of belonging, and deserve a family.

As to the concerns and comments about supporting programmes for parents and caregivers—I think it was Parliamentary Secretary Bush who highlighted this. I want to thank him for mentioning the need for innovative and revamped programming. These amendments are part of a broader effort to modernise our social development legislation, ensuring that it reflects the realities and the needs of the Cayman Islands today and into the future, Mr. Speaker.

As we recognise that the Department of Children and Family Services is a critical entity in the social safety net of the Cayman Islands, we will continue to examine and revamp these things. As such, the Ministry is working with the department in an exercise to modernise the programmes and services delivered by the department, to ensure that they meet the needs of the community now and into the future. This modernisation isn't just about updating processes or legislation, but about ensuring that the support we provide aligns with the realities and the challenges faced by our families today; and as we recognised in the Older Persons Act last week, it will need the necessary financial commitment. By addressing these needs, we are creating a stronger foundation for the wellbeing of our people.

In addition to the Department of Children and Family Services, there are various entities and non-profits that also provide critical services and programmes. Additionally, as the Parliamentary Secretary mentioned, supporting them, we have included the care plans in legislation to include accountability as well as

the treatment programmes and drug testing in order to ensure that the best interests of the child are paramount.

With respect to concerns that the Principal Act has not received material enhancements since 2012, as the former Minister, the Member for West Bay South mentioned, this legislation is intended to make enhancements to the existing Principal Act to bring the legislation to standard, provide preventative safeguarding for children, and provide essential services for both children and young people. This legislation is intended to be preventative and not reactive.

Mr. Speaker, as I said before, the Member for West Bay South intends to bring an Amendment to the Bill, which we support, for restitution if a parent has passed based on criminal acts and I will speak further on that during Committee Stage, but we have made further amendments to the Member's amendments after consultation with legal, to tighten it up and enhance it further. Obviously, we take our guidance from legal drafting, so that the intention or idea of the policy is worded in the best legal way so it is interpreted as is intended, so there will be some minor changes—the Member and I have spoken already, and have agreed.

With respect to adults safeguarding, again from the former Minister, we, too, support Ms. Sibblies' passion on adult safeguarding. It is something that the Ministry is already starting to work towards not only for adults, because we recognise that there are people within the disability component—adults under the age of 65 and above the Children Act requirement age, which would now be 18 to 65—who need safeguarding as well, so there will be future amendments.

I wish we had more time, but I'm certain that the next administration will be bringing those forward; the Government and the former Minister share those commitments. Ms. Sibblies could be comforted to know that, as Minister, I have given the directive to the Ministry to start the process now, as soon as possible. Maybe, if I am lucky and graced to be back in this Parliament and on the Government side, I could be voting yes in favour of some legislation for adults and those who are facing disability challenges.

As to the concern brought by the Deputy Governor, I agree with the concerns and the comments that efforts are being made in relation to safeguarding. I thank him for recognising that, and I thank the Board for all their efforts, the support, to be a major stakeholder, and ensuring information—the risks—are highlighted and addressed within the legislative framework being presented today. Their work will continue to advise even the new Office of the Commissioner that will be formed for children and young persons; continue to assess the evolving environment and challenges that young people face.

This Bill can enhance this further, with the introduction of the Office of the Commissioner of Children and Young Persons. The amendments in Section 32, and the inclusion of child safety policies and training for

mandatory reporters, will also assist. The appointment of the Commissioner for Children and Young Persons will be pivotal in the advocacy of our children and young persons in ensuring that they have clearly defined persons to be a voice.

With respect to discussions with the Honourable Attorney General, I want to bring to your attention, not to surprise you, Mr. Speaker, that there are amendments we propose to make at Committee Stage after discussion with the AG's Chambers. Section 8, on page 69, talks about **"the Governor may revoke the appointment of the Commissioner for Children and Young Persons..."** and lists the reasons. There is a proposed addition to that Section, in part 11A, to enable the Governor to take the necessary steps for things like gross misconduct. The exact wording may not necessarily be gross misconduct, Mr. Speaker, but it would bring it in line with the Public Authorities Act as to what authority the Governor has, to remove the Commissioner for one reason or another.

A further Amendment is that the Commissioner's, (his or her) staff, will be aligned with the Public Service Management Act so, basically, they will be like civil servants and will, therefore, be obligated to whatever legislation they are obligated to.

Mr. Speaker in respect to juvenile crime as highlighted by the Deputy Governor, I agree that there are reduced numbers of juvenile crime over the last five to ten years. I mean, it is a good sign, but he is also right to highlight that in the reverse of that, there has been an increase in suicides. I know the Member for Newlands has been a strong advocate for ensuring that there is adequate support from a mental health perspective, as well as non-profit organisations to try to address this increasing problem.

That is why this legislation is trying to put as much protection in place, Mr. Speaker—to ensure that the environment our children live in is the least stressful possible, therefore having less need to consider such actions. Mr. Speaker, I think that will continue to evolve as our society changes and technology and information platforms change; so, as we try to monitor that, we will continue to have to make amendments to these legislation, regulations, and even schedules, to how do we help prevent that? I think a review of the legislation that governs media in the Cayman Islands is necessary to protect our children, but I would leave that for another day when the Minister responsible is around to talk about the necessary changes that we have to put in place to safeguard our children.

Mr. Speaker, this takes me back to the point that the PS made about online concerns. I think it's fair to say that though the legislation does not specifically speak about online, the legislation covers protections—period. Whether they happen online or offline, if for some reason or another, a matter was to go before the courts, it wouldn't matter whether it happened face to face or online, the courts would interpret the action or abuse of or bullying of a child, in the same way.

However, I agree with the Member for West Bay West, Parliamentary Secretary Bush, that there will be a need for review to be more specific to the online space as it's ever, continuously evolving.

Mr. Speaker, I want to thank the former Honourable Minister. I have to say that I'm going to try to borrow, or use, the quote that he used; it's such a powerful one. I think it's the first time I've heard it but how profound it is: let us teach the children, so we don't have to train the adults. It's pretty powerful, my brother, and so appropriate for today's discussion. We have to protect the children, because I do think that we have committed strongly in respecting the teaching and education from your time, Mr. Speaker, and your investment into the educational system up to today, when the Honourable Premier leads probably the highest investment in education ever. We're definitely giving the support for the teaching; but we're not teaching only in education but in the protection of what a family unit is supposed to be about—what a loving environment is supposed to be about.

How to understand the world you're going into when you become an adult is formulated throughout your years of childhood. If, during those childhood years you're traumatised, abused, or taken advantage of in any way, it will distort your ability to be a positive citizen in our community, so we have to do everything that we can to protect them. By protecting them, we're also teaching them, because when you put them in a positive environment teaching is not only based on the classroom. The positive actions of the people around them are also delivering the teaching.

I thank the former Minister for his promotion and bringing this Bill this far, and me having the opportunity to deliver it the other way down the road. I think he's right by saying this shows an example of putting priorities forward and ahead of political points, and I'm happy that today has happened, because the young people we are talking about in this specific Bill want us to deliver in that way because they look up to us. Just like we teach by actions, presenting ourselves in a unified way, working together, will teach them to do the same when they become older.

Mr. Speaker, I got two more points to talk about, but before I do...

I heard the former Minister speak about his personal journey away from home, about his parents working really hard to give them an opportunity, and seeing what it was like in the State of New York, the difficulties; and surprised that we are faced with those journeys today—and he is right. We have to do better to ensure that the environments for our children are safeguarded, and not only by protections within the law, but also protections in the opportunities for Caymanians because the truth, Mr. Speaker, is that most of the time the challenges that children and families face are due to lack of opportunities.

Sometimes, lack of educational opportunities as well as drug abuse or domestic abuse, is why we

find children exposed to these various things, and I think that we should safeguard our people, not only by making legislation. We also need to present a society and an economy that allow Caymanians to succeed, in order for them to build a family and a household that is positive for them because, Mr. Speaker, trust me, it is hard enough to be a parent with all the money in the world because money does put away many problems, I can tell you that. Not having to worry about a light bill, water bill, and so forth—but the challenges of teaching another human being.

I remember when I first brought my daughter home I was like, *“Doctor, you really will send me home with this child? Like, you expect me to do all of these things and mould this human being to be a positive citizen?”* I was like, *“This can’t be right. They can’t believe that I’m gonna be able to do this.”* It’s already challenging for parents as it is, to figure that out. To be the best part of themselves; but then, while you’re dealing with that challenge, to deal with the challenges of being able to put food on the table, have a good job, or being in a safe neighbourhood.

These things are safeguarding our children as well, so when we present better opportunities for Caymanians, when we present safer neighbourhoods, when we ensure that parents can get upskilled and trained and offer opportunities for counselling or what have you. When there are relationships—and believe it or not, the fact that we moved away from our Christian principles so much is why we’re seeing so many dysfunctional families today, because they’re not following the Bible’s principles. The Bible talks about the family unit and its importance, so we can also safeguard our children by creating a better environment, holistically, in the Cayman Islands.

While we think about creating legislation to protect them, for people who are in their care and anybody who’s involved with them in any way, let’s also think about the parents who are struggling day to day, who don’t have to have their children in care, or go to social workers, or go to NAU. They, too, are struggling. We have to ensure that their environment, though it may not be as difficult as children who normally have to go through the provisions within this legislation, is easier for those parents. Whether it’s not making them have to work so hard because their pay is so low, right?

Or ensure that they can get home on time and not be stuck in traffic all the time, or make sure the cost of living for their light bills and food and their mortgage interest rates are okay, so they can be less stressed and they can be loving and patient with their children so they can work with them and do homework and spend quality time together. That, too, is safeguarding children, Mr. Speaker. Creating an environment where parents who already have a difficult job of moulding a child to be a positive adult to be part of our society, do not have to worry about the other stuff.

Mr. Speaker, I’ll close by saying that this legislation is important, but I have to agree that we have a

long way to go because safeguarding children is multifaceted. It’s not only in protections of those who govern the children because, Mr. Speaker, I am a primary example of many of the children who go through the struggles that this Bill is being put in place to protect them from, outlines.

Mr. Speaker, when I was a child, I was put up for adoption, I was in a foster home when I was going to school, I didn’t even graduate from the formal high school. I graduated from what was called the Cayman Islands Marine Institute. It was a programme instituted by the then Minister of Social Development, the Member for West Bay West, Hon. McKeever Bush. Interestingly enough, many people may not know it but my certificate, which says, *you have a high school diploma*, has the Hon. McKeever Bush’s name on it in 1996.

Mr. Speaker, I thank the Lord and the Members of this honourable House, that we did not have to go to an early election, so that we could get this legislation here because I know that many children who had to or are going through similar journeys to what I went through, will be further protected and supported. However, like I said, this Bill is only dealing with the protections from a legal perspective.

We still have a long way to go to deal with the support of the regular programmes and social development, and it will take money, and I hope the country knows, that the next time a Minister comes here to ask for money, or begs or fights within any budget, we should not query and question about how much we’re putting in. We should always say, *“is that enough or do you want more?”*; because if we do not ensure these children are in an environment that is loving, supported with positive programmes, supported by parents who receive positive support themselves, we’re going to have to train a generation of adults—like the honourable former Minister said—because we didn’t teach them when they were younger.

Mr. Speaker, again, I want to say thank you so much to my team within the Ministry, all those involved in the [Legislative] Drafting Department, all the child safeguarding stakeholders and the many stakeholders who were involved in consultation. Even if you went to just one of the Town Hall meetings and said, *I think you need to do this*—thank you. We all have a stake in this very important transition to protecting our most valuable asset: our children. Like the good Dr. Steve McField would say, this is a living document, sometimes it needs to be trimmed, sometimes it needs to be groomed, sometimes it needs to be nourished and we will continue to make further amendments and improvements as we see fit, over the years to come.

With that being said, I thank all Members for their support, and hope for its safe passage to the Third Reading of this honourable House.

Thank you, Mr. Speaker.

The Speaker: The question is that a Bill shortly entitled Children (Amendment) Bill, 2024 be given a second

reading. All those in favour, please say Aye. Those against, No.

AYES.

The Speaker: The Ayes have it.

Agreed: The Children (Amendment) Bill, 2024 was given a second reading.

MAINTENANCE (AMENDMENT) BILL, 2024

The Speaker: I recognise the Honourable Deputy Premier.

Hon. Kenneth V. Bryan, Deputy Premier: Thank you, Mr. Speaker.

I beg to move the Second Reading of a Bill entitled the Maintenance (Amendment) Bill, 2024 which will be very short.

The Speaker: The Bill has been duly moved. Does the Honourable Deputy Premier wish to speak thereto?

Hon. Kenneth V. Bryan, Deputy Premier: Yes, Mr. Speaker.

Mr. Speaker, before I give my contribution, I want to say, Members, I recognise that we didn't intend to go this far with the sitting of the House. This Bill is a short one; we hope that, at the very least, we can get Third Readings and Committee Stages for the first three Bills if Members would support that. With that being said, Mr. Speaker, thank you again.

Mr. Speaker, I rise to present on behalf of the Government, a Bill for an Act to amend the Maintenance Act (1996 Revision). The Bill seeks to streamline the provisions for maintenance and financial orders relating to children under one legislative framework as follows:

- to remove references to maintenance of children as these are being provided for under the Children Act (2012 Revision);
- to remove references to affiliation orders as a consequence of the intended repeal of the Affiliation Act (1995 Revision); and finally,
- for incidental and connected purposes.

This Amendment Bill was developed as part of a re-imagining of the current landscape of social development within the Cayman Islands, and is arranged into twelve clauses.

Clause 1 provides the short title and commencement of the legislation.

Clause 2 provides for general amendments to the principal Act to remove references to Roman numerals and replace them with references to Arabic numerals.

Clause 3 amends section 2 of the principal Act to, among other things, remove references to affiliation

orders as a consequence of the repeal of the Affiliation Act (1995 Revision).

Clauses 4 and 5 amend the principal Act by repealing sections 3 and 4, which provide respectively for the duty of a man and the duty of a woman to maintain certain children, the provisions for maintaining children will be provided for under the Children (Amendment) Bill. In the Children (Amendment) Bill, the relevant clause states that, **“A parent of a child is liable to maintain the child, failing which an order for financial relief in accordance with Schedule 1 may be made against the parent”**.

Clause 6 amends the principal Act by repealing and substituting section 6. The substituted section 6 removes references to compelling performance of duties imposed by the legislation in respect of children—this is being provided for under the Children Act (2012 Revision).

Clause 7 amends section 7 of the principal Act to streamline the references to maintenance orders in the legislation.

Clause 8 amends the principal Act by repealing and substituting section 8. The substituted section 8 removes references to the duration of maintenance orders in respect of children, as this is being provided for under the Children Act (2012 Revision).

Clause 9 amends the principal Act by repealing section 10 as a consequence of the removal from this legislation of provisions dealing with the maintenance of children.

Clause 10 amends the principal Act by repealing and substituting section 12. The substituted section 12 proposes to deal only with penalties for, among other things, neglecting to maintain one's wife. Penalties relating to the failure to maintain one's child are provided for under the Children Act (2012 Revision).

Clause 11 amends the principal Act by repealing and substituting section 13. The substituted section 13 provides that instead of, or in addition to, ordering a person to be imprisoned for failure to maintain that person's wife, the court may make a maintenance order against such a person. Consequential amendments have been made to remove references to children.

Clause 12 amends section 18 of the principal Act by repealing and substituting subsection (2) to remove references to affiliation orders as a consequence of the intended repeal of the Affiliation Act (1995 Revision).

Mr. Speaker, this Amendment Bill is a clean-up exercise, as we have addressed many of the matters within the Maintenance (Amendment) Bill, 2024 with respect to children within the Children (Amendment) Bill. It's a pretty straightforward Bill, Mr. Speaker, and I look forward to having the full support of all Members of this honourable House. Thank you, Mr. Speaker.

The Speaker: Does any other Member wish to speak?
[Pause] Does any other Member wish to speak?
[Pause] Does any other Member wish to speak?
[Pause]

If no other Member wishes to speak, I'll invite the Honourable Deputy Premier to wind up the debate.

Hon. Kenneth V. Bryan, Deputy Premier: Thank you, Mr. Speaker. I will not add other than to say thanks to all Members for their tacit support in respect of the Bill. I look forward to the Committee Stage Amendments.

The Speaker: The question is that a Bill shortly entitled the Maintenance (Amendment) Bill, 2024 be given a second reading. All those in favour, please say Aye. Those against, No.

AYES.

The Speaker: The Ayes have it.

Agreed: The Maintenance (Amendment) Bill, 2024 was given a second reading.

ADOPTION BILL, 2024

The Speaker: I recognise the Honourable Deputy Premier who is certainly working for his money this Meeting.

[Laughter]

Hon. Kenneth V. Bryan, Deputy Premier: Thank you, Mr. Speaker, as I do with all the other meetings.

Mr. Speaker, I beg to move the Second Reading of a Bill entitled the Adoption Bill, 2024.

The Speaker: The Bill has been duly moved. Does the Honourable Deputy Premier wish to speak thereto?

Hon. Kenneth V. Bryan, Deputy Premier: Thank you, Mr. Speaker.

Mr. Speaker, I rise to present on behalf of the Government, a Bill for an Act to repeal and replace the Adoption of Children Act (2021 Revision) and the Adoption of Children Act, 2013 to ensure rights are upheld, and that the necessary safeguards are in place to support persons involved in the adoption process.

Mr. Speaker, for far too long, the legislative framework governing adoption in our Islands has lagged behind the evolving needs of our society and the fundamental rights of those involved in this deeply personal process. Up until this point, the system has lacked efficiency, leaving children and families in a state of uncertainty. Children who deserve stability and the opportunity to thrive, have waited far too long to officially become part of loving families ready to provide them with the care, security and sense of belonging they need. It is about time we did right by these children and the parents who have stepped forward to give them a brighter future.

Today, as we bring forward this Bill to repeal and replace the Adoption of Children Act (2021 Revision) and the Adoption of Children Act, 2013, we are

not merely updating outdated laws; we are reaffirming our commitment to protecting the best interests of children in the Cayman Islands, upholding the rights of all parties involved, and ensuring that the safeguards in place reflect the values and aspirations of our modern community.

Mr. Speaker, the Bill enhances and streamlines the adoption process in the Islands and, particularly, provides for, among other things, the following matters—

- (a) The role and processes of the Adoption Board;
- (b) The role of the Department in the adoption process;
- (c) The application process for an adoption order;
- (d) The making of adoption orders and the effect of such orders;
- (e) The Adopted Children and Young Persons Register; and
- (f) Intercountry adoption.

Taking these in turn, I will now elaborate on each.

The role and processes of the Adoption Board: The Adoption Board has new members added to enhance the board's focus on health and human services; best practice has been ensured by incorporating disclosure of interest and duty of confidentiality clauses.

The role of the Department in the adoption process: The role of the Department has been outlined by the provision of services for children and young persons who have been adopted and who are in the process of being adopted; adopters and applicants; former parents or guardians of children and young persons who were adopted and parents or guardians of children and young persons who are in the process of being adopted.

The application process for an adoption order: The application process is different for different types of adoptions, with an effort to streamline and expedite the process for persons in order to provide permanence and place the best interest of the child as paramount once the decision process is completed.

The making of adoption orders and the effect of such orders: This is the formalisation of the adoption order, meaning that once an order is in effect the adoptive parents are, to the adoptee, as if they were the biological parents.

The Adopted Children and Young Persons Register: A record of all adoptions of children and young persons within the Cayman Islands.

Intercountry adoptions: This is to provide a standard for adoptions, and is aligned with the intention to ratify the Convention on Protection of Children and Co-operation in respect of intercountry adoption (HCCH 1993 Adoption Convention) also known as the Hague Convention on Intercountry adoptions.

Further to the consultation highlighted in the Children [Amendment] Bill, it is essential to highlight that extensive consultation was led by the Ministry in 2023 and 2024 under the leadership of the former Minister to inform the Bill's development, ensuring it meets both the community's needs and international standards. The Bill is arranged into fourteen Parts, Mr. Speaker:

Part 1 covers preliminary matters and contains clauses 1 to 4.

Clause 1 contains the short title and commencement provisions.

Clause 2 provides definitions for words used throughout the legislation.

Clause 3 provides for the adoption principles which are to be considered by the Adoption Board, the Court, or any other person in the adoption process. The adoption principles include the fact that the best interests of the child shall be the paramount consideration and that priority shall be given, where it is reasonable to do so, to the placement and adoption of children who are resident in the Islands.

Clause 4 provides for the application of the Convention on Protection of Children and Co-operation in respect of intercountry adoption. The Ministry is the central authority for the Islands to discharge the duties which are imposed by the Convention upon a central authority and for the purposes of the legislation, while the Department and the Adoption Board are the competent authorities for the purposes of the Convention and the legislation.

Part 2 provides for the Adoption Board and contains clauses 5 to 13.

Clause 5 provides for the continuation of the Adoption Board of the Cayman Islands under this legislation.

Clause 6 provides for the duties of the Adoption Board. These include making arrangements for the adoption of children, submitting recommendations and other information to the Court relating to applications for adoption orders and working in co-operation with any entity as the Cabinet considers necessary for the Adoption Board to carry out its functions.

Clause 7 provides for the appointment and constitution of the Adoption Board.

Clause 8 provides for the tenure of members of the Adoption Board.

Clause 9 provides for, among other things, the grounds on which a member's appointment may be terminated.

Clause 10 provides for the appointment of a secretary to the Adoption Board.

Clause 11 provides for the requirement of members of the Adoption Board to make a declaration of that person's interests in accordance with the Standards in Public Life Act (2021 Revision).

Clause 12 provides for the disclosure of interests by members of the Adoption Board and the process to be followed by a member of the Adoption Board

for proper disclosure to be carried out, as well as the process to be followed after disclosure.

Clause 13 provides for the duty of confidentiality by the Adoption Board and the secretary to the Adoption Board.

Part 3 provides the role of the Department and contains clause 14.

Clause 14 provides that it is the role of the Department to establish and maintain a service in the Islands that provides for the needs of —

- (a) children and young persons who have been adopted and who are in the process of being adopted;
- (b) adopters and applicants; and
- (c) the former parents or guardians of children and young persons who were adopted and the parents or guardians of children and young persons who are in the process of being adopted.

Part 4 provides for the application process to be a prospective adopter and contains clauses 15 to 19.

Clause 15 provides that Part 4 applies to adoptions other than —

- (a) de facto adoptions and adoptions by departmental foster parents, except where the Court directs that an application be first made to the Adoption Board under section 30 or 31;
- (b) adoptions of young persons; and
- (c) intercountry adoptions.

Clause 16 provides that a person who wants to apply for an adoption order must first make an application to the Adoption Board in the prescribed form and manner expressing that person's interest. That application shall be accompanied by an affidavit, prescribed information, and any other relevant details as the Adoption Board may reasonably require for the purposes of assessing the application and the prescribed fee.

Clause 17 provides, among other things, that before a child who is not a resident of the Islands is brought to the Cayman Islands for adoption by a relative of the child, or by a person who will become an adoptive parent jointly with a natural parent or relative of the child, the applicant shall apply to the Court for approval to do so.

Clause 18 provides that where the Adoption Board receives an expression of interest and the Adoption Board is satisfied that the application is complete, it shall request that the Department conduct a home study assessment. This assessment will assist the Adoption Board in evaluating the suitability of the applicant and their home environment for adoption.

Clause 19 provides for the making of arrangements by the Adoption Board for the interim placement of a child where the Adoption Board is satisfied with the results of the home study assessment. The clause also provides that during the interim placement period, the

Adoption Board will appoint a person to supervise the child who has been placed and, after the end of that period, the appointed person will complete a supervision report which contains information and observations of the placement. This supervision report will assist the Adoption Board with its recommendations to the court where an application for an adoption order is made.

Further, clause 19 provides that at any time during the interim placement period, the person with whom the child is placed may give notice in writing to the Adoption Board of the person's intention not to adopt the child. Alternatively, the Adoption Board may cause notice in writing to be given to the person with whom the child is placed of the Adoption Board's intention not to allow the child to remain in the care and custody of that person, with the reasons for the Adoption Board's intention included in the notice.

Part 5 provides for the jurisdiction and procedure regarding adoption orders and contains clauses 20 to 22.

Clause 20 provides that the Grand Court has jurisdiction to make adoption orders under the legislation.

Clause 21 provides for the power of the Grand Court to make adoption orders relating to children.

Clause 22 provides for the power of the Grand Court to make adoption orders relating to young persons.

Part 6 provides for the making of adoption orders relating to children, and contains clauses 23 to 31.

Clause 23 provides that Part 6 applies to adoptions relating to children.

Clause 24 provides for the eligibility criteria that must be met in order to adopt a child. While there are exceptions, the general criteria are that in the case of a sole applicant, the applicant must be at least twenty-five years old and in the case of a joint application, both applicants must be at least twenty-five years old.

This clause outlines the consent requirements for adoption orders. It specifies that an adoption order will generally not be granted without the consent of:

- a) every parent or guardian of the child;
- b) the applicant's spouse or civil partner if the application is made by one of them; and
- c) the child, where applicable.

The Court must also ensure that each consenting parent or guardian has given their consent freely and unconditionally, with a full understanding of what the adoption order entails, regardless of whether they know the applicant's identity.

Clause 25 provides for the Court's power to dispense with the requirement for consent to adoption. Among other reasons, the Court may dispense with consent if it is satisfied that a parent or guardian has abandoned, neglected or abused the child or that the person whose consent is required is unreasonably withholding consent or cannot be found or contacted, despite reasonable efforts to do so.

Clause 26 provides that where the parent of a child is under eighteen years of age, that parent may give valid consent to the adoption of that parent's child.

Clause 27 provides for the making of interim orders by the Court. The Court may, upon an application for an adoption order in respect of a child, postpone the determination of the application and make an interim order giving custody of the child to the applicant for a period not exceeding two years. It should be noted that, unless the Court dispenses with the requirement for any consent, all consents required for an adoption order shall be necessary for an interim order. The clause also emphasises that interim orders are not adoption orders—to be clear, Mr. Speaker.

Clause 28 provides that where a parent or guardian whose consent to the making of an adoption order is required does not attend the proceedings for the purpose of giving consent, then, a document signifying that person's consent or lack thereof to the making of an adoption order shall be admissible as evidence of that consent or lack of consent, whether the document is executed before or after the commencement of the proceedings, if —

- (a) the person in whose favour the order is to be made is named in the document; or
- (b) the identity of that person is not known to the party whose consent is required, but is distinguished in the document, in the prescribed manner.

Clauses 29 provides for the functions of the court in relation to adoption orders. Among other things, before making an adoption order, the Court must be satisfied that every person whose consent is necessary, having not been dispensed with, has consented to, and understands that the effect of the adoption order will be to permanently deprive that person of their parental rights.

Clause 30 provides for de facto adoptions. The criteria for de facto adoptions is provided for in clause 24, but an applicant that is a relative of the adoptee child can be at least 18 years of age. A de facto adoption will be regarded by the court as having taken place where the relative of a child, or the relative and the spouse or civil partner, as applicable, shows that —

- (a) a child was in the custody of the relative, or the relative and the spouse or civil partner, for a period of at least two years; and
- (b) the relative, or the relative and the spouse or civil partner, assumed the role of parent of that child for a period of at least two years by bringing up, caring for, educating and maintaining the child.

Mr. Speaker, clause 31 provides for the adoption by departmental foster parents. Where a child is placed with a departmental foster parent by the Department under the Children Act (2012 Revision), the department foster parent may apply to the Court for an adoption order in respect of the child where —

(a) the child was in the custody of the departmental foster parent for a period of at least two years; and

(b) for the period of at least two years, the departmental foster parent brought up, cared for, educated and maintained the child.

Part 7 provides for the making of youth adoption orders and contains clauses 32 to 36, Mr. Speaker.

Clause 32 provides that Part 7 applies only to adoption of young persons—a young person means a person who has attained the age of 18 but who has not yet attained the age of 25 years.

Clause 33 provides for the applications for youth adoption orders. A person who is interested in adopting a young person shall apply to the Court for a youth adoption order in accordance with the procedure under the legislation and the applicable rules of the Court.

Clause 34 provides for the eligibility criteria that must be met in order to adopt a young person. A youth adoption order shall not ordinarily be made in respect of a young person unless —

(a) in the case of an application by a sole applicant, the applicant is at least 25 years of age and at least 16 years older than the young person to be adopted;

(b) in the case of joint application, each of the applicants is at least 25 years of age and at least 16 years older than the young person to be adopted.

This clause also sets out the consent regime regarding the youth adoption orders. It provides, among other things, that a youth adoption order will not ordinarily be made without the consent of the other spouse or civil partner of the applicant, where the application is made by a spouse or civil partner, nor will it be made without the consent of the young person.

Clause 35 provides for the Court's power to dispense with the requirement for consent to adoption of a young person. Among other things, the Court may dispense with consent if it is satisfied that the spouse or the civil partner of the applicant for the youth adoption order cannot be found or is incapable of giving consent.

Clause 36 provides for the functions of the Court in relation to youth adoption orders. Among other things, before making a youth adoption order, the Court must be satisfied that the order, if made, will be for the welfare of the young person and due consideration will be given to the wishes of the young person, having regard to the young person's mental capacity, Mr. Speaker. The Court must also be satisfied that there is no romantic or sexual relationship between the applicant or any member of the applicant's immediate family.

Part 8 provides for intercountry adoptions and contains clauses 37 to 44.

Clause 37 provides for intercountry adoptions by persons who are Caymanian or residents of the Islands.

Clause 38 provides for intercountry adoptions by persons who are neither Caymanian nor residents of the Islands, but who wish to adopt a child who is a resident of the Islands or who was born within the Islands.

Clause 39 provides that section 37 does not apply to a child who was brought into the Cayman Islands for a de facto adoption or for adoption by a person who will become an adoptive parent jointly with a natural parent of a child, or jointly with a relative of the child under a de facto adoption.

Clause 40 provides that before a child who is not a resident of the Islands is brought into the Islands for the purposes of consideration for adoption or anticipated adoption under clause 37, the applicant shall apply to the Courts for approval to do so, Mr. Speaker.

Clause 41 provides that, except under the authority of an order made by the Court, no person shall place a Caymanian child or permit the care and custody of a Caymanian child to be transferred from the Islands to a person residing outside of the Islands (for clarity, Mr. Speaker, that's overseas applicants) for the purposes of the adoption of a Caymanian child.

Clause 42 provides that the Court may grant a licence authorising the care and custody of a non-Caymanian child for whom adoption arrangements have been made and for the child to be transferred to a citizen of the prescribed country, who is resident outside the Islands, subject to the legislation and any other conditions and restrictions which may be imposed by the Court, having regard to the Convention.

Clause 43 provides that the Secretary of State of the United Kingdom may, on behalf of the Islands, enter into a memorandum of understanding or other arrangements with the Government of another State in order to allow for the collaboration and the exchange of information with competent authorities in the State who are responsible for adoption.

Clause 44 deals with the provision and exchange of information. The clause provides that the central authority for the Islands may, subject to the Data Protection Act (2021 Revision) and in accordance with the prescribed requirements,

a) furnish a person with the information relating to the safety, welfare, and wellbeing of a child; and

b) direct a person to furnish the central authority for the Islands with the information relating to the safety, welfare and wellbeing of a particular child or class of children.

Part 9 provides for court proceedings in respect of adoption orders and contains clauses 45 to 55.

Clause 45 provides for Rules of Court to be made by the Rules Committee of the Grand Court and the Rules Committee of the Court of Appeals as appear

to the Rules Committee to be necessary or expedient for the purposes of giving effect to the legislation.

Clause 46 provides that applications under the legislation for an adoption order, or an appeal from that order, shall be heard and dealt with in private.

Clause 47 specifies those persons who are entitled to be heard in the case of an application for an adoption order or an appeal from that order. They include the applicant (or in the case of an appeal, the appellant), an adoptive parent, a natural parent, a guardian, the child or the young person, the Adoption Board, the Department, and any other person the Court considers relevant or expedient to the determination of the application or appeal.

Clause 48 provides for the duties of the Grand Court where an adoption order is made.

Clause 49 provides that the prospective adopter is entitled to have access to the reports provided under the legislation unless the Court otherwise directs or imposes conditions or restrictions relating to access.

Clause 50 provides that the Court may make an order directing the natural parents of the child or young persons to provide the adopters of the child or young persons with information about the medical history of the natural parents.

Clause 51 provides for the secrecy of the previous identity or parentage of the child or young person, as well as the circumstances in which the previous identity or parentage may be revealed.

Clause 52, Mr. Speaker, provides that an applicant for an adoption order may apply to the Court to change the given name or the surname, or both the given name and surname, of the child or young person.

Clause 53 provides for the power of the Court to direct the supervision of a child or young person if it appears that there are exceptional circumstances making it desirable to do so.

Clause 54 provides for the confidentiality of court files dealing with adoption orders. An application for an order under the legislation or any document filed in court in connection with the application may be searched only by order of the court, at the request of the Director, or at the request of the chairperson of the Adoption Board.

Clause 55 provides for appeal to the Court of Appeals from decisions of the Grand Court in relation to the applications for adoption orders or any matter relating to an adoption or intended adoption.

Part 10, Mr. Speaker, provides for the disclosure of information and contains clauses 56 and 57.

Clause 56 provides that the Adoption Board, the Department, the Court, or a person involved in the adoption process may, if the circumstances so warrant, provide information concerning the background of the child at the request of a party to a placement or an adoption.

Clause 57 provides for the request for information regarding original registration of birth. Where an

adoptee wishes to be issued a certified copy of the adoptee's original registration of birth, the adoptee shall apply to the Court in the prescribed form for an order to that effect. The clause also provides that where the adoptee is a minor, the written consent of the adoptee's adoptive parents is required for such an application, unless the Court is satisfied that such consent should be dispensed with.

Part 11 deals with the effect of adoption orders and contains clauses 58 to 62.

Clause 58 provides, among other things, that where an adoption order is made, the adoptee is in law the child of the adopted parents as if the adoptive parents were the natural parents, that is to say that the adoptee becomes the child of the adoptive parent and the adoptive parent becomes the parent of the adoptee—basically, Mr. Speaker, with this new legislation, when you adopt a child is as if you had the child yourself.

I can see there's a reason I didn't become a lawyer—AG [Attorney General], do you still think I should be a lawyer?

[Inaudible interjection]

Hon. Kenneth V. Bryan, Deputy Premier: *'Still have time'*, he says.

Clauses 59 provides for intestacies, wills, and settlements in the context of adoptees. Among other things, the clause provides that where, at any time after the making of an adoption order, the adopter or the adoptee or any other person dies intestate in respect of any real or personal property (other than property subject to an entailed interest under the disposition made before the date of the adoption order), that property shall devolve in all respects as if the adoptee were the child of the adopter and were not the child of another person.

Mr. Speaker, this is basically talking about ownership; if the person who adopted the child passes away, the law shall see them as the natural child in estate matters.

Clause 60 contains provisions that are supplementary to clause 59.

Clause 61 provides for the revocation of an adoption order. An adoption order can be revoked as a result of an appeal of a decision of the Court or where the order was obtained as a result of fraud and the court considers the revocation to be in the child's best interest. If the adoption order is revoked, the notice of revocation is to be communicated to the relevant agencies. If the revocation results in the removal of the child, the Department is to have care of the child.

Clause 62 provides for the power of the Court to make orders for the care and the custody of a child where the Court refuses an application for an adoption order in respect of a child or revokes an adoption order in respect of a child.

Part 12 provides for the Adopted Children and Young Persons Register and contains clause 63.

Clause 63 provides that the Registrar-General shall maintain at the Registrar-General's office a register called the Adopted Children and Young Persons Register, in which only entries further to adoption orders shall be made.

Part 13 provides for the offences and penalties under the legislation and contains clauses 64 to 69.

Clause 64 provides that it is an offence for a person other than the Adoption Board, the Department, the Court or another specified person to make arrangements for placement or adoption, whether or not for gain or reward.

Clause 65 provides that it is an offence to publish any advertisement indicating, among other things, that the parent or guardian of the child or young person is desirous of causing the child or young person to be adopted, or that a person is desirous of adopting a child or young person.

Clause 66 provides that it is an offence for a person to send a child abroad for the purposes of adoption if the person into whose care and custody the child is to be transferred is not a citizen of a prescribed country or a guardian or relative of the child and who is resident outside these Islands.

Clause 67 provides that it is an offence to disclose information that is considered confidential under the legislation unless the disclosure is made with lawful authority.

Clause 68 provides that it is an offence to make false or misleading statements in connection with any application or matter under the legislation.

Clause 69 provides that it is an offence to offer or receive payment for an adoption, except an expected payment or any payment which the Courts have sanctioned.

Part 14 provides for general matters and contains clauses 70 to 74.

Clause 70 provides for delegations by the Director.

Clause 71 provides for the amendment of Schedules to the legislation by Order made by the Cabinet.

Clause 72 provides for the Cabinet's power to make regulations prescribing all matters that are required or permitted by the legislation to be prescribed, or are necessary or convenient to be prescribed for giving effect to the purposes of the legislation.

Clause 73 provides for the repeal of the Adoption of Children Act, 2013 and the Adoption of Children Act (2021 Revision).

Clause 74 provides for transitional matters, including how applications made under the repealed Acts will be determined as well as the continuation of the Adoption Board when the legislation comes into effect.

Schedule 1 sets out the specified offences which bar an applicant from applying for an adoption order.

Schedule 2 provides for a list of the approved jurisdictions for the purposes of clause 41, under Part 8 which relates to intercountry adoptions.

Mr. Speaker, that was much legal jargon in respect to the rules and framework and wording upon which the Courts will make orders about this very important and sensitive subject of putting children in the proper care with the proper love and affection around them, particularly those who are vulnerable for one reason or the other.

Mr. Speaker, this amendment is the fourth piece in a group of legislation to enhance the social development commitment to those who are most vulnerable, and the last piece of legislation for this group of Bills. I want to take this opportunity to again thank the former Minister for his hard work over the last year and odd; working hard with the team within the Ministry and legal drafting and stakeholders to get this Bill before this honourable House.

Mr. Speaker, we are certain this Bill in its new form, will address current concerns within the Cayman Islands. Right now, we had a Caymanian who was adopted and had been unable to get the documentation necessary from an old adoption file in order to confirm that she is Caymanian. It became a bit of a difficult task for us to assist her but, thank God, between myself and the former Minister we got it resolved—got her assistance. It is real life circumstances like that, that this Bill will address, along with the ability to efficiently, quickly and safely allow children who are up for adoption to be placed with a family in a safe, loving home. The quicker that is done, the quicker their life can get back to normal.

With that being said, Mr. Speaker, I hope to get the support of all Members of this honourable House for this, very important, Adoption Bill, 2024.

Thank you, Mr. Speaker.

The Speaker: Does any other Member wish to speak? *[Pause]* The honourable Member for Bodden Town West.

Mr. Christopher S. Saunders: Mr. Speaker, while everyone is busy this time of year I want to extend another set of thanks to another individual on this Bill arriving here today—and Mr. Speaker, that is none other than yourself.

You may recall Private Member's Motion No. 6 of 2018/2019, a Motion to Extend the Hague Intercountry Adoption Convention to the Cayman Islands. With your permission, Mr. Speaker, I want to read the article that was carried by *Cayman News Service* back then. The headline reads, "Premier agrees to look at intercountry adoption" and it goes on to say:

"The Premier has agreed to examine the possibility of asking the United Kingdom to extend the Hague Convention on the Protection of Children and Cooperation in Respect of Intercountry Adoption to enable Caymanian families to adopt

children from overseas. Following the presentation of a Private Member's Motion brought by Chris Saunders, the opposition member for Bodden Town West, Alden McLaughlin said Saunders had done a good job persuading the government to look at the issue.

"In his presentation Saunders said that he was aware of Caymanian families unable to have children who have sought to adopt children from overseas because the pool for babies or very young children available for adoption locally is very small. But they are finding that in many cases, when they look further afield, they are prevented from adopting even when a suitable match is found because the countries of their children's birth are signatories of the Hague Convention and so we cannot allow inter-country adoption with a non-member.

"He asked the government to see if the convention could be extended to Cayman to widen the pool for at least a few local families." It goes on to say, "'All we are asking for is for the government to reach out to the UK to see if they can extend that convention and at least maybe two or three families can start a family of their own,' he told the Legislative Assembly, adding that it could expand the options for people who have had challenges starting a family."

Mr. Speaker, I personally want to thank you, because at the time, it was an issue that was near and dear to me, having met with families who were struggling to start their own families. I remember your heartfelt presentation that night, in accepting the Motion on behalf of the Government. To sit here today and see this arrive—granted, six years later—goes to show exactly how difficult the process was. It wasn't easy.

I also want to thank the public servants involved in the work behind the scenes.

The Speaker: Honourable Member, may I thank you for acknowledging that. Shakespeare said in Julius Caesar, "**The evil that men do lives after them; the good is oft interred with their bones**", so thank you for that acknowledgement while I'm still alive.

[Laughter]

Mr. Christopher S. Saunders: Thank you, Mr. Speaker.

Mr. Speaker, I also want to thank the public servants and the reason I want to single them out is because people need to understand that in our democracy (unlike the United States), the civil service is actually charged with the continuation of government, so regardless of when one Government moves to the next, the continuation of policies that the previous Government would have started, continues through the civil servants.

It would have been very easy for civil servants to say, "*Well, the government has changed, this will not be a priority for the new government.*". For them to have continued to push this issue through, which will actually help many families, is something I'm grateful for so I really want to extend my thanks to the many civil servants and public servants, who continue policies from one administration to the next.

With that said, Mr. Speaker, I am very happy that it is being modernised. I want to thank the current Deputy Premier for bringing it; and the Member for West Bay South, for the work they did in continuing this process. I can tell you, having spoken to many Caymanians who want to start a family, that this is really a big deal and every Member of this House should be proud about this Bill coming here today.

Thank you, Mr. Speaker.

The Speaker: Does any other Member wish to speak? [Pause] Does any other Member wish to speak? [Pause] The honourable member for West Bay South.

Mr. André M. Ebanks, Elected Member for West Bay South: Thank you, Mr. Speaker. Just to make a very brief contribution on the Adoption Bill, 2024.

Mr. Speaker, it is an immense step forward to modernise and streamline this legislation originally enacted in 1967, and which had a bit of a split between the 2013 Act and the 2021 Revision. It represents a giant step forward in the adoption process which for many families, Mr. Speaker, was long, arduous, cumbersome, particularly when it was inter-country. To be able to have legislation that has a chance to be brought in line with international standards, and have The Hague Convention extended to the Cayman Islands for this purpose, is enormous.

When we were setting the priorities at the beginning of the administration, I remember looking at this as one of the items we could tackle, but I knew that it would be a very large task and arguably, some could say it might only affect a small percentage of the population so it's much work to go into a Bill that may help a small segment of the population but if not now, when? And even if small, it goes in line with the strategy for social development, whereas you're fighting to give young people a chance, a fighting chance, to be with a family, which may alter someone's life. Bring them into loving care so that they may reach their maximum potential, so I'm overjoyed that it has gotten this far and the Deputy Premier and the Government continued to bring it forward for debate in this Meeting.

I remember, quite fondly, when the Ministry team actually delivered the Bills after being approved by Cabinet. I was overseas and they called me while I was in Europe with such... *jubilant*, to say the Bills were delivered and published, so the Member for Bodden Town West is right to thank the civil service but, Honourable DG, I'm going to single out Miss Ashlyn Goubault-Ebanks.

[Desk thumping]

Mr. André M. Ebanks: I remember all the conversations. I remember the passion, even when we got into some legal drafting hurdles and it came into doubt whether we could actually pull off the Bill before the end of the year. It was the look on your face that made me say, *“Okay, we got to be able to reconcile these wrinkles and get this done”* and to see you grow and develop as a young policy officer, and in the process be promoted—to senior now? Senior Policy Officer, makes the story even sweeter. Thank you. The country should thank you.

I think it's Clause 73; if passed today, to repeal the Adoption of Children Act, 2013 and the Adoption of Children Act, (2021 Revision) with these transitional provisions; to deliver this to the people of the Cayman Islands, is an outstanding feat and, certainly, we could leave here today knowing that our social development framework has been uplifted and upgraded.

Thank you, Mr. Speaker.

The Speaker: Does any other Member wish to speak?
[Pause] Does any other Member wish to speak?
[Pause] Does any other Member wish to speak? If not, I invite the Honourable Deputy Premier to exercise his right of reply.

Hon. Kenneth V. Bryan, Deputy Premier: Thank you Mr. Speaker.

Just to echo the words of all those who have contributed to the debate, all positive. Mr. Speaker I, too, want to recognise your efforts thus far, to get the foundation of our social framework to where it is today. You worked really, really hard. Sadly, I think you may not get as much credit as you deserve—

[Inaudible interjection]

Hon. Kenneth V. Bryan: Agreed.

I'll share this with you, and I want to say it publicly because I think the public should hear it. I remember clearly the licks you got, for those two schools, and I wonder today— when we talk about these schools because of all the talk of the Cayman Brac school now, you know— and I wonder what they would have said if you didn't make that decision. Where would we have been now? You know?

I wasn't elected then, but it goes back to the principle of what PS Bush says. I like to get my feedback from my people, yet sometimes I can see the justification to just make a decision because, as he always says, sometimes you just need to make the call— *“Leaders are there to make the call and this whole referendum nonsense... Just do it, and deal with the consequences later.”*

I guess I'm saying thank you, for making such hard calls when they had to be made because I will tell you, with the growth that we've had, if we did not have

those two schools built today, we would be in a proper mess. I bring it up is to say that, like the Member for Bodden Town West highlighted, there are so many things that you've been involved with. I hope history is kind to you and to your legacy, in that respect.

Besides that, I only want to thank all Members for supporting this. Though in my capacity as Minister I'm tasked with carrying the process to this honourable House, I think much credit must be given to the former Minister for his hard work with the amazing team within the Ministry, and all other stakeholders over the last year-and-odd for us to be successful, on behalf of the good people, with these four pieces of legislation.

With that being said, Mr. Speaker, I look forward to the full support of the Members of this House.

The Speaker: The question is that a Bill shortly entitled the Adoption Bill, 2024 be given a second reading. All those in favour, please say Aye. Those against, No.

AYES.

The Speaker: the Ayes have it.

Agreed: The Adoption Bill, 2024 was given a second reading.

The Speaker: Honourable Members, I am proposing to take a very short—ten minutes—suspension before we go into committee, so we'll be back (by that clock) at about quarter past. Seriously; not a quick five and a short ten, you know? A short ten.

Proceedings suspended at 4:09 pm.

Proceedings resumed at 4:29 pm.

The Speaker: Parliament is resumed. The House will now go into committee to consider the Bills.

House in Committee at 4.30 p.m.

COMMITTEE ON BILLS

The Chairman: Please be seated.

The House is now in Committee. With the leave of the House, may I assume that as usual, we should authorise the Honourable Attorney General to correct minor errors and such the like in the Bills to be considered?

Would the Clerk please state the first Bill and read the clauses.

MISUSE OF DRUGS (AMENDMENT) BILL, 2024

The Clerk:

Clause 1 Short title

Clause 2	General amendments to the Misuse of Drugs Act (2017 Revision) – deletion of the words “customs officer” and substitution of the words “customs and border control officer”
Clause 3	Amendment of section 2 - definitions and interpretation
Clause 4	Amendment of section 7 – evidence
Clause 5	Amendment of section 18 - offences on Cayman ships
Clause 6	Amendment of section 19 - ships used for illicit traffic
Clause 7	Repeal and substitution of section 20 - enforcement powers in respect of ships
Clause 8	Amendment of section 21 - jurisdiction and prosecutions in respect of ships
Clause 9	Repeal and substitution of section 22 - pursuit into territorial waters
Clause 10	Amendment of Schedule 4 - enforcement powers in respect of ships

The Chairman: The question is that clauses 1 to 10 do stand part of the Bill. All those in favour, please say Aye. Those against, No.

AYES.

The Chairman: The Ayes have it.

Agreed: Clauses 1 to 10 passed.

The Clerk: A Bill for an Act to amend the Misuse of Drugs Act (2017 Revision) to enhance the legislative framework for combatting illicit trafficking activities conducted by air; to provide for reciprocal enforcement powers in relation to aircraft suspected of being involved in illicit trafficking activities; to designate officers of the Cayman Islands Coast Guard as enforcement officers under the Act; and for incidental and connected purposes.

The Chairman: The question is that the Title do stand part of the Bill. All those in favour, please say Aye. Those against, No.

AYES.

The Chairman: The Ayes have it.

Agreed: The Title passed.

TRAFFIC (AMENDMENT) BILL, 2024

The Clerk:

Clause 1	Short title and commencement
Clause 2	Amendment of section 2 of the Traffic Act (2023 Revision) - interpretation
Clause 3	Repeal and substitution of section 11 - importation and use of certain vehicles restricted

The Chairman: The question is that clauses 1 to 3 stand part of the Bill. All those in favour, please say Aye. Those against, No.

AYES.

The Chairman: The Ayes have it.

Agreed: Clauses 1 to 3 passed.

The Clerk:

Clause 4	Amendment of section 14 - commencement and duration of licences: rate of fees
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The Chairman: I've waived the notice and given leave for an Amendment to clause 4(b). I understand, honourable Member for West Bay North, that you are the temporary Minister.

Mr. Bernie A. Bush, Elected Member for West Bay North: Yes, Mr. Chair.

The Chairman: Would you please then read the Motion to amend?

Amendment to clause 4(b)

Mr. Bernie A. Bush: Mr. Chairman, in accordance with the provisions of Standing Order 52(1) and (2), I, on behalf of Honourable Johany Ebanks, Minister of Planning—

The Chairman: No, Minister. When you are a temporary Minister, you have all of the powers of the Minister, so you move the Motion in your own name.

Mr. Bernie A. Bush: Ok, sir.

I, Bernie Bush, Acting Minister for Planning, Agriculture, Housing, Infrastructure, Transport, & Development, give notice to move the following amendment to the Traffic (Amendment) Bill, 2024—

That the Bill be amended in clause 4(b) in the proposed new subsection (5A) by inserting after the word “permitted” the words “at any one time”.

The Chairman: The Motion has been duly moved.

Does the Honourable Temporary Minister wish to speak thereto?

Mr. Bernie A. Bush: No, Mr. Speaker, it's not necessary, sir.

The Chairman: The Motion has been moved. Does any Member of the Committee wish to speak thereto?

[Pause]

The Chairman: If no Member wishes to speak, I will put the question. The question is that the Amendment

stands part of the clause. All those in favour, please say Aye. Those against, No.

AYES.

The Chairman: The Ayes have it.

Agreed: Amendment to clause 4(b) passed.

The Chairman: Does any Member wish to speak to the clause as amended?

If not, the question is that clause 4(b) as amended, stand part of the Bill. All those in favour, please say Aye. Those against, No.

AYES.

The Chairman: The Ayes have it.

Agreed: Clause 4(b) as amended passed.

The Clerk:

Clause 5	Amendment of section 25 - qualification to drive
Clause 6	Insertion of section 27A - exchange of licences
Clause 7	Amendment of section 29 - driving tests for new residents and visitors
Clause 8	Repeal of Part 4 - public passenger vehicles
Clause 9	Amendment of section 53 - restrictions on use of special electric vehicles
Clause 10	Amendment of section 55 - requirements for registration of special purpose vehicles
Clause 11	Insertion of section 55A - exhibition vehicles which are unregistered
Clause 12	Repeal and substitution of section 78 - ban on mobile telephones
Clause 13	Amendment of section 88 - interpretation of sections 82 to 87
Clause 14	Amendment of section 93 - ticket offences
Clause 15	Amendment of section 94 - ticket procedure
Clause 16	Insertion of section 103A - demerit points system
Clause 17	Amendment of section 111 - Regulations under this Part
Clause 18	Transitional provisions

The Chairman: The question is that clauses 5 through 18 do stand part of the Bill. All those in favour, please say Aye. Those against, No.

AYES.

The Chairman: The Ayes have it.

Agreed: Clauses 5 through 18 passed.

The Clerk: A Bill for an Act to amend the Traffic Act (2023 Revision) to provide for vehicle safety standards; to provide for miscellaneous updates of the Act; and for incidental and connected purposes.

The Chairman: The question is that the Title do stand part of the Bill. All those in favour, please say Aye. Those against, No.

AYES.

The Chairman: The Ayes have it.

Agreed: Title passed.

PUBLIC TRANSPORT BILL, 2024

The Clerk:

Clause 1	Short title and commencement
Clause 2	Interpretation

The Chairman: The question is that clauses 1 and 2 stand part of the Bill. All those in favour, please say Aye. Those against, No.

AYES.

The Chairman: The Ayes have it.

Agreed: Clauses 1 and 2 passed.

The Clerk:

Clause 3	Continuation of the Public Transport Board and composition of the Board
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The Chairman: I will invite the honourable Christopher Saunders to move the notice to amend clause 3.

Amendment to clause 3

Mr. Christopher S. Saunders, Elected Member for Bodden Town West: Thank you very much, Mr. Chairman.

Mr. Chairman, in accordance with the provisions of Standing Order 52(1) and (2), I, Christopher Saunders, Elected Member for Bodden Town West give notice to move the following amendment to the Public Transport Bill, 2024 —

That the Bill be amended in clause 3 as follows—

- (a) In subclause (2)(a)(i) by deleting the words “who shall be the chairperson” and replacing them with the words “who shall be an ex-officio member”;
- (b) In subclause (2)(a)(ii) by adding the words “who shall be an ex-officio member” after the word “Cabinet”;
- (c) In subclause (2)(a)(iii) by adding the words “who shall be an ex-officio member” after the word “Cabinet”;

- (d) In subclause (2)(b) by deleting the word “five” and replacing it with the word “six” and by adding the words “one of which shall be chairperson” after the word “Cabinet”.

The Chairman: The Motion to amend clause 3 has been duly moved. Does the Mover wish to speak thereto?

Mr. Christopher S. Saunders: Very briefly, Mr. Chairman, only to say to Members that we are looking to move the chairperson to a person who is appointed by Cabinet; move the civil servants or public servants to *ex officio* members; and ensure that the membership is in compliance with the Public Authorities Act (2020 Revision).

The Chairman: Does any other Member wish to speak?

Hon. Kenneth V. Bryan, Deputy Premier: Mr. Chair.

The Chairman: The Honourable Kenneth Bryan.

Hon. Kenneth V. Bryan, Deputy Premier: Just to say that I am so happy that the Member recognised this change because we have other legislation that needs to be changed where public servants are voting which shouldn't be; and we have to update all the other pieces of legislation which have civil servants voting as it's against the Public Authorities Act (2020 Revision).

The Chairman: Does any other Member wish to speak? *[Pause]* Does any other Member wish to speak? *[Pause]* Does any other Member wish to speak? *[Pause]*

If no other Member wishes to speak, the question is that the Amendment stands part of the clause. All those in favour, please say Aye. Those against, No.

AYES.

The Chairman: The Ayes have it.

Agreed: Amendment to clause 3 passed.

The Chairman: Does any Member wish to speak to the clause as amended? If not, the question is that clause 3 as amended stands part of the Bill. All those in favour, please say Aye. Those against, No.

AYES.

The Chairman: The Ayes have it.

Agreed: Clause 3 as amended passed.

The Clerk:

Clause 4 Functions of the Board

The Chairman: The question is that clause 4 stand part of the Bill. All those in favour, please say Aye. Those against, No.

AYES.

The Chairman: The Ayes have it.

Agreed: Clause 4 passed.

The Clerk:

Clause 5 Procedure of the Board

The Chairman: Honourable temporary Minister Bush, there is an Amendment. May I invite you to move it?

Amendment to clause 5

Mr. Bernie A. Bush: Mr. Chairman, in accordance with the provisions of Standing Order 52 (1) and (2), I, Bernie Bush, Acting Minister for Planning, Agriculture, Housing, Infrastructure, Transport, & Development, give notice to move the following amendments to the Public Transport Bill, 2024 —

1. That the Bill be amended in clause 5(1) as follows—
 - (a) by inserting after the word “may” the words “, in accordance with section 3(2),”; and
 - (b) by deleting the word “any” where it appears before the word “person” and substituting the word “a”.
2. That the Bill be amended in clause 16—

The Chairman: Honourable Minister, that is in relation to clause 16, we haven't reached that yet. We've just got to take this one.

The Motion to amend clause 5 has been duly moved. Honourable Minister, do you wish to speak thereto?

Mr. Bernie A. Bush: No, sir.

The Chairman: Does any other Member wish to speak? *[Pause]* Does any other Member wish to speak? *[Pause]* Does any other Member wish to speak? *[Pause]* If not, I will put the question.

The question is that the Amendment stands part of the clause. All those in favour, please say Aye. Those against, No.

AYES.

The Chairman: The Ayes have it.

Agreed: Amendment to clause 5 passed.

The Chairman: Does any Member wish to speak to the clause as amended? If no Member wishes to speak, the question is that clause 5 as amended stands part of the Bill. All those in favour, please say Aye. Those against, No.

AYES.

The Chairman: The Ayes have it.

Agreed: Clause 5 as amended passed.

The Clerk:

Clause 6	Delegation by the Board
Clause 7	Cabinet may give policy directions
Clause 8	Validity of acts by the Board
Clause 9	Duty of confidentiality
Clause 10	Board members' interests
Clause 11	Indemnity and protection from liability
Clause 12	Public Transport Unit and officers of the Unit
Clause 13	Secretariat of the Board
Clause 14	Functions and duties of the Unit
Clause 15	Permits for public passenger vehicles

The Chairman: The question is that clauses 6 through 15 do stand part of the Bill. All those in favour, please say Aye. Those against, No.

AYES.

The Chairman: The Ayes have it.

Agreed: Clauses 6 through 15 passed.

The Clerk:

Clause 16	Revocation and suspension of permits.
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The Chairman: There is a proposed Amendment. Honourable Temporary Minister Bush, will you move the Motion?

Amendment to clause 16

Mr. Bernie A. Bush: Mr. Chairman, in accordance with the provisions of Standing Order 52 (1) and (2), I, Bernie Bush, temporary Acting Minister for Planning, Agriculture, Housing, Infrastructure, Transport, & Development, give notice to move the following amendments to the Public Transport Bill, 2024:

That the Bill be amended in clause 16(2) by inserting after the word "disrepute" the words "or for any other failure to comply with the Traffic (Public Passenger Vehicles) Regulations (2020 Revision)".

The Chairman: The Amendment has been duly moved. Does the Honourable Temporary Minister wish to speak thereto?

Mr. Bernie A. Bush: Only to say thanks for the cooperation so far from everyone. Thank you for the support.

The Chairman: Does any other Member wish to speak? If no other Member wishes to speak, the question is that the Amendment stands part of the clause. All those in favour, please say Aye. Those against, No.

AYES.

The Chairman: The Ayes have it.

Agreed: Amendment to clause 16 passed.

The Chairman: Does any Member wish to speak to the clause as amended? *[Pause]*

If not, the question is that clause 16 as amended stands part of the Bill. All those in favour, please say Aye. Those against, No.

AYES.

The Chairman: The Ayes have it.

Agreed: Clause 16 as amended passed.

The Clerk:

Clause 17	Matters to be considered by Board
Clause 18	Permit not a driver's licence
Clause 19	Conditions for driving passengers for hire or reward and penalty for contravention
Clause 20	Regulations
Clause 21	Transitional provisions

The Chairman: The question is that clauses 17 through 21 stand part of the Bill. All those in favour, please say Aye. Those against, No.

AYES.

The Chairman: The Ayes have it.

Agreed: Clauses 17 through 21 passed.

The Clerk: A Bill for an Act to continue the Public Transport Board; to establish the Public Transport Unit; to provide for the appointment of the Director of Public Transport; to provide for permits for drivers of public buses and taxis; to provide for conditions for transporting passengers; to provide for regulations; and for incidental and connected purposes.

The Chairman: The question is that the Title do stand part of the Bill. All those in favour, please say Aye. Those against, No.

AYES.

The Chairman: The Ayes have it.

Agreed: Title passed.

OLDER PERSONS (AMENDMENT) BILL, 2024

The Clerk:

Clause 1	Short title and commencement
Clause 2	General amendments to the Older Persons Act, 2017 - references to "Law" and "Council of Older Persons"

Clause 3	Amendment of section 2 - interpretation
Clause 4	Amendment of section 3 - the Council of Older Persons
Clause 5	Amendment of section 4 - functions of the Council
Clause 6	Amendment of section 5 - Chairperson and Deputy Chairperson
Clause 7	Repeal of section 6 - Executive Secretary
Clause 8	Insertion of section 7A - duty of confidentiality of the Council
Clause 9	Insertion of Part 2A - Departmental responsibility for the subject of Older Persons
Clause 10	Repeal of Part 3 - the Older Persons Register
Clause 11	Insertion of sections 17A and 17B - equal access; decision-making
Clause 12	Insertion of Parts 4A, 4B and 4C - notification and investigation of abuse or neglect; intervention orders; the Older Persons Tribunal
Clause 13	Substitution of section 18 - obstruction of authorised persons
Clause 14	Insertion of sections 18A and 18B - rules of court; appeals of court decisions
Clause 15	Amendment of Schedule - the Council of Older Persons
Clause 16	Insertion of Schedule 2 - the Older Persons Tribunal

The Chairman: The question is that clauses 1 through 16 do stand part of the Bill. All those in favour, please say Aye. Those against, No.

AYES.

The Chairman: The Ayes have it.

Agreed: Clauses 1 through 16 passed.

The Clerk: A Bill for an Act to amend the Older Persons Act, 2017, in order to revise the definition of the term 'older person'; to re-name the Council of Older Persons, increase its functions and change its membership; to identify a department with responsibility for the subject of older persons; to remove the requirement for the maintenance of the Older Persons Register; to increase the protection of the rights of older persons; to provide for the notification and investigation of abuse or neglect of older persons; to enable the issue of an intervention order in a case where an older person lacks capacity to make certain decisions; to establish the older persons tribunal for the purpose of determining complaints relating to access to rights of older persons and requirements imposed on 'mandatory reporters'; and for incidental and connected purposes.

The Chairman: The question is that the Title do stand part of the Bill. All those in favour, please say Aye. Those against, No.

AYES.

The Chairman: The Ayes have it.

Agreed: Title passed.

CHILDREN (AMENDMENT) BILL, 2024

The Clerk:

Clause 1	Short title and commencement
Clause 2	General amendments to the Children Act (2012 Revision) - deletion of the words "Governor in Cabinet"; references to Parts; references to the word "authorise"; deletion of the words "police protection"
Clause 3	Repeal and substitution of Part heading - Part 1 - Introductory
Clause 4	Amendment of section 2 - interpretation
Clause 5	Amendment of section 3 - welfare of the child
Clause 6	Insertion of section 3A - voice of the child
Clause 7	Amendment of section 4 - parental responsibility for children
Clause 8	Amendment of section 4A - acquisition of parental responsibility by a step-parent
Clause 9	Amendment of section 6 - acquisition of parental responsibility by father
Clause 10	Amendment of section 9 - welfare reports
Clause 11	Insertion of sections 9A and 9B - disclosure of interest by an officer of the Department; confidentiality of information held by the Department
Clause 12	Amendment of section 10 - residence, contact and other orders with respect to children
Clause 13	Amendment of section 11 - restrictions on making section 10 orders
Clause 14	Amendment of section 12 - power of court to make section 10 orders
Clause 15	Amendment of section 13 - general principles and supplementary provisions

The Chairman: The question is that clauses 1 through 15 do stand part of the Bill. All those in favour, please say Aye. Those against, No.

AYES.

The Chairman: The Ayes have it.

Agreed: Clauses 1 through 15 passed.

The Clerk:

Clause 16 Insertion of section 16A - duty of parents to maintain children

The Chairman: I have notice of a Committee Stage Amendment to be moved by Mr. André Ebanks.

**Withdrawal of (first) Amendment
to Clause 16**

Mr. André M. Ebanks: Thank you, Mr. Chair.

In accordance with the provisions of Standing Order 52(1) and (2) I, André Ebanks, Elected Member for West Bay South give notice to move the following amendments to the Children (Amendment) Bill, 2024. That the Bill be amended in Clause 16 as follows—

- a) by repealing the proposed section heading and substituting the following new section heading— “Insertion of sections 16A and 16B - duty of parents to maintain children; Power of Court to issue maintenance orders in cases of parental loss due to criminal acts (“Shemaiah Grant Order”)”;
- b) in the chapeau, by deleting the word “section” and substituting the words “sections”;
- c) in the proposed new section 16A, by deleting the words “the parent.” and substituting the words “the parent.”; and
- d) by inserting after the proposed new section 16A as amended, the following new proposed section—

“Power of Court to issue maintenance orders in cases of parental loss due to criminal acts (“Shemaiah Grant Order”) “16B. Where the parent of a child referred to in section 16A dies as a result of the commission of an offence which resulted in the death of that parent, the court may—

- (a) upon application or on its own motion; and
- (b) having regard to any matters which a court considers relevant in the interests of justice, make an order, subject to such conditions as a court considers appropriate, requiring the person convicted for the commission of that offence to make periodic payments for the maintenance and upbringing of the child and such payments may be enforced in the same manner, subject to any necessary modifications, as other maintenance orders under this Act.”.

The Chairman: The Motion has been duly moved. Does the honourable Member wish to speak to it?

Mr. André M. Ebanks: Yes, Mr. Chair.

Mr. Chair, this Amendment comes about primarily due to the advocacy of the family of the late Shemaiah Grant, whose life was taken after a fatal crash on the 2nd of May, 2021. If memory serves, Mr. Chair, in my freshman term that was the first constituent's death I faced. Mr. Grant was very young, and it was a very painful service for all of West Bay; since then, the grieving family has been advocating for amendments to the traffic or roads legislation.

They've had online petitions, they've worked with foreign non-profit organisations such as Mothers Against Drunk Driving to advocate for restitution payments following, particularly, the death of a parent due to drunk driving. Upon seeing the Traffic (Amendment) Bill, the family noticed that a restitution provision was not included. They noted that the term was coming to an end, and wondered whether this might still have a chance to be addressed within this term.

My concern was that I didn't think the restitution provision fit within the long title of the Traffic (Amendment) Bill and that had a very narrow provision. I revisited their arguments and suggested provisions, and noticed that in a couple of the foreign jurisdictions the matter was not handled in road or traffic acts, but in children's compensation acts. As the Good Lord would have it, it seemed to me that the solution, potentially, was still in the hands of this House in this Meeting, because the Children (Amendment) Bill was dealing with the amendment of maintenance although, really, as a result of the Maintenance Act and maintenance as we know it, for a parent to take care of a child.

However, it occurred to me—“*Well, what happens if there isn't a parent?*” It seemed to me, and I conferred with colleagues, that this may fit as a connected purpose of the Bill and offer the court another tool in their kit to judge, on a case-by-case basis, whether or not restitution should be made to maintain a child where the parent has died as a result of a criminal act. Particularly, because there's a gap in the social development framework as those guardians—which in this case are primarily the grandparents—are working, have good incomes; but certainly weren't prepared to take on another child without the income of the parent, and would not be able to qualify for financial assistance from the department of financial assistance, so there's a gap in our framework.

With that in mind, and trying to apply what I've seen legal drafting do over the years, we put together a Committee Stage Amendment that I thought would at least bring the issue to the forefront and bring it to a head. As I mentioned in the debate on the Bill, I couldn't be more grateful to the Government and to the Deputy Premier for, one, agreeing the principle; and giving the drafting to the legal drafting team to put it to the legal drafting standard with the necessary refinements and enhancements. This is not just for the Grant family in West Bay, but for a number of families through the country, who have suffered a similar experience. They,

too, may be able to find restitution as a Court might consider appropriate, on a case by case basis.

With that Mr. Chair, given that the Government has a refined version, I will now move a Motion to withdraw the Committee Stage Amendment standing in my name, in exchange for the government's enhanced version.

I, André Ebanks, Elected Member for West Bay South move that the Committee Stage Amendment with respect to Clause 16, standing in my name, be withdrawn.

The Chairman: The Motion to withdraw has been duly moved. Does any Member wish to speak?

Hon. Kenneth V. Bryan, Deputy Premier: Mr. Chair.

The Chairman: Honourable Bryan?

Hon. Kenneth V. Bryan, Deputy Premier: Thank you Mr. Chair.

Just to recognise the former Minister's sentiments and applaud him for bringing these proposed amendments and opine further on the new amendments that will be coming subsequently more as a clean-up exercise, from a drafting perspective. Also to say to the Grant family, that this Order will be [named] the Shemaiah Grant Order in memory of him and it was able to be done by the Member of West Bay South's commitment and the working together of all Members of this honourable House.

I'm honoured, on behalf of the Government, to be able to be a part of the amendments.

The Chairman: Does any other Member wish to speak? If no other Member wishes to speak, I put the question.

The question is that the Committee Stage Amendment to Clause 16 of the Children (Amendment) Bill, 2024, moved by Mr. André Ebanks, be withdrawn. Those in favour, please say Aye. Those against, no.

AYES.

The Chairman: The Ayes have it.

Agreed: The Committee Stage Amendment moved by Mr. André Ebanks withdrawn.

Amendment to Clause 16

The Chairman: Honourable Deputy Premier, as you alluded to, there is a proposed Amendment to Clause 16 to be moved by you. Would you do so now, please?

Hon. Kenneth V. Bryan, Deputy Premier: Yes, Mr. Chairman.

In accordance with the provisions of Standing Order 52(1) and (2), I, the Honourable Kenneth Bryan, Deputy Premier and Minister for Social Development

and Innovation, give notice to move the following amendments to the Children (Amendment) Bill, 2024 —

1. That the Bill be amended by deleting clause 16 and substituting the following clauses—

“Insertion of sections 16A and 16B - duty of parents to maintain children; order for payments for maintenance and upbringing of child in cases of death of parent due to prescribed criminal acts (“Shemaiah Grant Order”)

16. The principal Act is amended by inserting after the heading “Financial Relief” the following sections —

“Duty of parents to maintain children

16A. A parent of a child is liable to maintain the child, failing which an order for financial relief in accordance with Schedule 1 may be made against the parent.

Order for payments for maintenance and upbringing of child in cases of death of parent due to prescribed criminal acts (“Shemaiah Grant order”)

16B. Where a court finds a person liable for the death of a parent of a child as a result of the commission of a criminal act specified in Schedule 1, the court may grant an order against the person or the person's estate for payments to be made for the maintenance and upbringing of the child (“Shemaiah Grant order”) —

(a) on application made by a parent or guardian of a child, or by any person in whose favour a residence order is in force with respect to the child or on the court's own motion; and

(b) having regard to any matters which the court considers relevant in the interests of justice, subject to any conditions as the court considers appropriate,

and the payments may be enforced in the same manner, subject to any necessary modifications, as an order for financial relief under this Act.”.

The Chairman: The Amendment has been duly moved. Does the Honourable Bryan wish to speak thereto?

Hon. Kenneth V. Bryan, Deputy Premier: No, Mr. Chair, other than to say thanks.

The Chairman: Does any other Member wish to speak? Mr. André Ebanks.

Mr. André M. Ebanks: Thank you Mr. Chair. Just to thank the Government once more for moving that Amendment, and to say to the Grant family and all the other families: This one's for you.

The Chairman: The question is that the Amendment—Sorry, Honourable Attorney General.

The Attorney General, Hon. Samuel W. Bulgin: Thank you, sir. Just in support; sorry, Mr. Chair.

Like the honourable Member for West Bay South and the Honourable Deputy Premier, Mr. Chair, I am in support of the initiative. I think when the Grant family or relatives were making their rounds I, too, had the opportunity to meet with them and I was also persuaded by the merit in what they were saying, given the circumstances that led to the death of young Shemaiah at the time.

Research has shown, Mr. Chair, that there is a concept, certainly in the United States, if I understand it, called the Bentley Law and it requires convicted drunken drivers to pay child support for children who lose one or both parents in a fatal accident. That's the position in Missouri, Kentucky, Tennessee, and other states. Mr. Chair, the research shows that the Bentley law, as it is called in some States, is about holding people accountable for drunken driving by guaranteeing financial support for children who have lost their providers.

In making the award or the determination, Mr. Chair, the Court will determine an amount of child support to be paid following conviction of the driver if culpable. Usually in the case of Driving Under the Influence (DUI), and payment would be made to the guardian of the children until a child turns 18 or 23—I suppose 23, if they are undergoing tertiary education; and if the person is imprisoned, which is invariably the case, they will start paying a year after their release from prison. It is, in fact, another form of not just punishment, if you will, but certainly—well, turns kind of punishment and, in my view, one which is quite justified and timely, given what we're experiencing on our roads, Mr. Chair.

In the interest of transparency, I did mention that, given the significance of it, it would have been helpful, if you will, if we had more time for wider public consultation but having said that, Mr. Chair, I certainly appreciate and understand the timing around it, and I certainly have no objection. I think as we go along, we'll have to take a deeper dive into it, because there is a question of double recovery. Usually, as you know from your background, sir, in these sorts of instances there is always the wrongful death claim brought against insurance companies, and the question is whether you

were looking at a double recovery kind of arrangement; or whether we need to legislate against it or—if it is going to allow that, how it needs to be structured, et cetera.

Those are things that will need to be looked at going forward, but as a start I certainly think it is very commendable and I join in commending the honourable Member and the Honourable Deputy Premier in advancing the initiative, so I certainly lend my voice in support.

Thank you.

The Chairman: Does any other Member wish to speak? If not, the question is that the Amendment stands part of the Clause. All those in favour, please say Aye, those against, no.

AYES.

The Chairman: The Ayes have it.

Agreed: The amendment passed.

The Chairman: The question now is that Clause 16, as amended, stands part of the Bill. Those in favour—well, I presume no one wishes to speak to the amended Clause. The question now is that the Clause, as amended, stands part of the Bill. All those in favour please say Aye, those against, no.

AYES.

The Chairman: The Ayes have it.

Agreed: The Clause, as amended, passed.

The Clerk:

Clause 17	Amendment of Section 18 - family assistance orders
Clause 18	Repeal and substitution of Section 19 - provision of services for children in need, their families and others
Clause 19	Repeal of sections 20 and 21 - day care for pre-school and other children; review of provision for day care, child minding, etc.
Clause 20	Amendment of Section 22 - provision of accommodation for children: general
Clause 21	Amendment of Section 25 - provision of accommodation and maintenance by the Department for children whom it is looking after
Clause 22	Amendment of Section 26 - advice and assistance for certain children
Clause 23	Repeal and substitution of Section 27 - use of accommodation for restricting liberty
Clause 24	Amendment of Section 30 - co-operation between departments

Clause 25	Amendment of Section 31 - recoupment of cost of providing services, etc.	Clause 44	Repeal and substitution of Section 54 - refuges for children at risk
Clause 26	Amendment of Section 32A - notification of abuse or neglect	Clause 45	Repeal of part VI, VII, VIII, IX and X - community homes; voluntary homes and voluntary organisations; registered children's homes; private arrangements for fostering children; child minding and day care for young children
Clause 27	Amendment of Section 32C - confidentiality of notification of abuse or neglect		
Clause 28	Amendment of Section 32D - Department not obliged to take action		
Clause 29	Repeal and substitution of Section 32E - assessment and investigation of report by Department	Clause 46	Repeal and substitution of Part heading of Part XI - Governor in Cabinet's and Governor's supervisory functions and responsibilities
Clause 30	Amendment of Section 33 - care and supervision orders		
Clause 31	Insertion of Section 35A - care plan	Clause 47	Amendment of Section 80 - inspection of children's homes, etc. by persons authorised by the Governor in Cabinet
Clause 32	Amendment of Section 36 - parental contact, etc. with children in care		
Clause 33	Insertion of sections 38A and 38B - power of court to order participation in treatment programme; power of court to order drug testing	Clause 48	Amendment of Section 81 - inquiries
		Clause 49	Amendment of Section 82 - research and returns of information
Clause 34	Insertion of Section 40A - power to include exclusion requirement in interim care order.	The Chairman: The question is that clauses 41 through 49 stand part of the Bill. All those in favour please say Aye, those against, no.	
Clause 35	Amendment of Section 43 - representation of child and of his interests in certain proceedings	AYES.	
Clause 36	Insertion of Part 4A - freeing a child for adoption	The Chairman: The Ayes have it.	
Clause 37	Amendment of Section 46 - orders for emergency protection of children	Agreed: Clauses 41 through 49 passed.	
Clause 38	Insertion of Section 46A - power to include exclusion requirement in emergency protection order	The Clerk:	
Clause 39	Repeal and substitution of Section 49 - removal and accommodation of children by police in cases of emergency	Clause 50	Insertion of part 11A - Commissioner for Children and Young Persons
Clause 40	Amendment of Section 50 - duty of the Department to investigate	The Chairman: There is a notice of a Committee Stage Amendment being proposed by the Honourable Kenneth Bryan.	
		Honourable Minister, would you please move the Amendment?	

The Chairman: The question is that clauses 17 through 40 stand part of the Bill. Those in favour, please say Aye, those against, no.

AYES.

The Chairman: The Ayes have it.

Agreed: Clauses 17 through 40 passed.

The Clerk:

Clause 41	Amendment of Section 51 - powers to assist in the discovery of children who may be in need of emergency protection
Clause 42	Amendment to Section 52 - abduction of children in care, etc.
Clause 43	Amendment to Section 53 - recovery of abducted children, etc.

Amendment to Clause 50

Hon. Kenneth V. Bryan, Deputy Premier: Thank you, Mr. Chair.

In accordance with the provisions of Standing Order 52(1) and (2), I, the Honourable Kenneth Bryan, Deputy Premier and Minister for Social Development and Innovation, give notice to move the following further amendments to the Children (Amendment) Bill, 2024:

1. That the Bill be amended in clause 50 as follows—
 - (a) in the proposed section 83A, by deleting the proposed subsection (8) and substituting the following subsection —

“(8) The Commissioner for Children and Young Persons may —

- (a) have the appointment of the Commissioner for Children and Young Persons revoked by the Governor if the Commissioner for Children and Young Persons —
 - (i) becomes of unsound mind or becomes permanently unable to perform the functions of Commissioner for Children and Young Persons by reason of ill health;
 - (ii) becomes bankrupt;
 - (iii) fails to carry out the functions conferred on the Commissioner for Children and Young Persons by this Act or any other Act; or
 - (iv) brings the Office of the Commissioner for Children and Young Persons into disrepute; or
- (b) be dismissed on the same basis and in accordance with the same procedure as a Chief Officer under the Public Service Management Act (2018 Revision).”;
- (b) in the proposed section 83H(2), as follows —
 - (i) in the proposed paragraph (a), by inserting after the words “(2018 Revision)”, the words “, including as it relates to personnel arrangements of the Office of the Commissioner for Children and Young Persons”; and
 - (ii) in the proposed paragraph (b), by deleting the words “, in the opinion of the Commissioner for Children and Young Persons.”; and
- (c) in the proposed section 83I(2), by inserting after the words “public officers” the words “and matters relating to the personnel arrangements of the officers, including discipline and dismissal, shall be governed by the Public Service Management Act (2018 Revision)”.

The Chairman: The Amendment has been duly moved. Does any Member wish to speak thereto?

Hon. Kenneth V. Bryan, Deputy Premier: Mr. Chairman, just to opine further on the necessity for these amendments.

Members may remember that during the debate, we referred to bringing the sections that would align with the Public Service Management Act in respect to discipline and revocation of a Commissioner to

be like that of a Chief-Officer. Also, in the amended B Section, for persons who work for the Commissioner to be in line with the Public Service Management Act—to bring them all in line with the public service.

Thank you, Mr. Chair.

The Chairman: Does any other Member wish to speak? If no Member wishes to speak, the question is that the Amendment stands part of the Clause. All those in favour please say Aye, those against, no.

AYES.

The Chairman: The Ayes have it.

Agreed: The Amendment passed.

The Chairman: The question now is that Clause 50, as amended, stand part of the Bill.

Does any Member wish to speak? If no Member wishes to speak, the question is that the clause as amended stands part of the Bill. All those in favour, please say Aye. Those against, No.

AYES.

The Chairman: The Ayes have it.

Agreed: Clause 50, as amended, passed.

The Clerk:

- | | |
|-----------|---|
| Clause 51 | Repeal and Substitution of section 88A - attendance in court by parent |
| Clause 52 | Amendment of section 90 - privacy for children involved in certain proceedings |
| Clause 53 | Amendment of section 91 - self-incrimination |
| Clause 54 | Amendment of section 93 - power of constable to assist in exercise of certain powers to search for children or inspect premises |
| Clause 55 | Insertion of sections 93A and 93B - incompatibility of other legislation; protection from liability for disclosures made pursuant to this Act |
| Clause 56 | Amendment of section 95 - regulations and orders |
| Clause 57 | Insertion of section 95A - amendment of Schedules |
| Clause 58 | Amendment of section 96 - financial provisions |
| Clause 59 | Amendment of Schedule 1 - financial provision for children— |

Hon. Kenneth V. Bryan, Deputy Premier: Mr. Chair, I do apologise to interrupt, but there's a further Amendment to clause 59 in this Bill. I couldn't deal with it before because it was a part of the same amendment, but it was the second part of the amendment. The Motion that I filed had two parts to it, one with clause 16 and one with clause 59.

[Pause]

Hon. Kenneth V. Bryan, Deputy Premier: Mr. Chair, if we can take the vote up to clause 58 and then we can go to clause 59.

[Pause]

The Chairman: The question is that clauses 51 through 58 do stand part of the Bill. All those in favour, please say Aye. Those against, No.

AYES.

The Chairman: The Ayes have it.

Agreed: Clauses 51 through 58 passed.

The Clerk:

Clause 59 Amendment to Schedule 1 - financial provision for children

Amendment of Clause 59

The Chairman: I have notice of a Committee Stage Amendment proposed by the Honourable Kenneth Bryan. Honourable Minister, do you wish to speak thereto?

Hon. Kenneth V. Bryan, Deputy Premier: Thank you, Mr. Chair. In accordance with the provisions of Standing Order 52(1) and (2), I, the Honourable Kenneth Bryan, Deputy Premier and Minister for Social Development and Innovation, give notice to move the following amendments to the Children (Amendment) Bill, 2024:

That the Bill be amended in clause 59, in paragraph (f), by inserting after the proposed paragraph 15A the following the following paragraph —

“Criminal acts for which court may grant Shemaiah Grant order

15B. For the purposes of section 16B, a Court may grant a Shemaiah Grant Order in respect of any of the following criminal acts —

- (a) causing death by dangerous or reckless driving, under section 75 of the Traffic Act (2023 Revision);
- (b) causing death by careless driving or inconsiderate driving, under section 79 of the Traffic Act (2023 Revision);
- (c) causing death by driving, where the driver is unlicensed, disqualified or uninsured, under section 80 of the Traffic Act (2023 Revision); or

- (d) causing death by driving or being in charge of a vehicle while under the influence of alcohol or drugs, under section 83 of the Traffic Act (2023 Revision).”.

The Chairman: The amendment has been duly moved. Does any Member wish to speak thereto?

Hon. Kenneth V. Bryan, Deputy Premier: Yes, Mr. Chair, merely to say this is the second clause amendment to complete the intended Shemaiah Grant Order which lists out the acts for which such an order can be granted.

Again, I thank the Honourable Member. Hopefully, the completion of this Shemaiah Grant Order will give comfort to the Grant family, to know that his life was not in vain and hopefully will protect any other family from such a loss and the ability, from a financial perspective, to provide for a child who has lost their parents.

The Chairman: Does any other Member wish to speak? Mrs. Katherine Ebanks-Wilks?

Ms. Katherine A. Ebanks-Wilks: Thank you, Mr. Chair.

Mr. Chair, I would like to express my support to this amendment. This is certainly a provision that should promote more responsible behaviours in our country, and it is a start to providing relief to those children who have lost a parent as a result of someone conducting a criminal act.

Mr. Speaker, I would like to go on record to thank the Member for West Bay South for his continued efforts and innovation to propose this maintenance order—the Shemaiah Grant Order. I would also like to thank the Honourable Deputy Premier and the Government for their cooperation and collaboration.

Finally, Mr. Chair, I would like to thank the family of the late Shemaiah Grant for their continued advocacy in memory of Shemaiah. As the Deputy Premier just mentioned, through their advocacy and the cooperation of the Member of West Bay South, subject to this amendment being approved today, other children will now have the benefit of a maintenance order.

Thank you, Mr. Chair.

The Chairman: Does any other Member wish to speak? Mr. André Ebanks.

Mr. André M. Ebanks: Just very briefly, two points, Mr. Chair. One, to again thank the Government and the Deputy Premier; and to pick up on a point that the Attorney General made earlier.

In other jurisdictions, it is not only the Court's ability to make the order; it's actually the deterrent effect that when news of this is sent out to the public, it

takes greater notice. I think in certain states, they're starting to see road fatalities decline after this has been introduced, so it's also the deterrent effect which has a positive impact in the community.

Thank you, Mr. Chair.

The Chairman: Does any other Member wish to speak? *[Pause]* If no other Member wishes to speak, the question is that the amendment stands part of the clause. All those in favour, please say Aye. Those against, No.

AYES.

The Chairman: The Ayes have it.

Agreed: The amendment passed.

The Chairman: Does any Member wish to speak? *[Pause]* If no Member wishes to speak, the question now is that the clause, as amended, stands part of the Bill. All those in favour, please say Aye. Those against, No.

AYES.

The Chairman: The Ayes have it.

Agreed: Clause 59, as amended, passed.

The Clerk:

Clause 60	Amendment of Schedule 2 - Department support for children and families
Clause 61	Amendment of Schedule 3 - supervision orders
Clause 62	Insertion of Schedules 3A and 3B - matters not subject to investigation by the Commissioner for Children and Young Persons; advisory panel
Clause 63	Repeal of Schedules 4, 5, 6, 7, 8 and 9 - management and conduct of community homes; voluntary homes and voluntary organisations; registered children's homes; foster parents; limits on number of foster children; privately fostered children; child minding and day care for young children
Clause 64	Amendment of Schedule 10 - amendments, transitional provisions, savings and repeals
Clause 65	Repeal of regulations

The Chairman: The question is that clauses 60 through 65 stand part of the Bill. All those in favour, please say Aye. Those against, No.

AYES.

The Chairman: The Ayes have it.

Agreed: Clause 60 through 65 passed.

The Clerk: A Bill for an Act to amend the Children Act (2012 Revision) to provide for the acquisition of parental responsibility by persons in civil partnerships; to clarify the process for transferring a child to secure accommodation; to introduce care plans; to introduce new provisions regarding children's homes; to amend the disclosure and information sharing provisions relating to the Department; to establish the Office of the Commissioner for Children and Young Persons; to repeal certain parts of and regulations under the Act; and for incidental and connected purposes.

The Chairman: The question is that the title do stand part of the Bill. All those in favour, please say Aye. Those against, No.

AYES.

The Chairman: The Ayes have it.

Agreed: Title passed.

MAINTENANCE (AMENDMENT) BILL, 2024

The Clerk:

Clause 1	Short title and commencement
Clause 2	General amendments to the Maintenance Act (1996 Revision) - references to Part headings
Clause 3	Amendment of section 2 - definitions
Clause 4	Repeal of section 3 - duty of man to maintain certain children
Clause 5	Repeal of section 4 - duty of woman to maintain certain children
Clause 6	Repeal and substitution of section 6 - method of compelling performance of duties imposed by this act
Clause 7	Amendment of section 7 - manner of proceeding on summons
Clause 8	Repeal and substitution of section 8 - duration of order of maintenance
Clause 9	Repeal of section 10 - burden of proof
Clause 10	Repeal and substitution of section 12 - penalties on neglecting to maintain wife and children or abandoning them
Clause 11	Repeal and substitution of section 13 - order for maintenance of wife and children
Clause 12	Amendment of section 18 - courts and officers shall take steps for enforcing orders.

The Chairman: The question is that clauses 1 through 12 do stand part of the Bill. All those in favour, please say Aye. Those against, No.

AYES.

The Chairman: The Ayes have it.

Agreed: Clauses 1 through 12 passed.

The Clerk: A Bill for an Act to amend the Maintenance Act (1996 Revision) to remove references to maintenance of children as matters dealing with the maintenance of children are being provided for under the Children Act (2012 Revision); to remove references to affiliation orders as a consequence of the repeal of the Affiliation Act (1995 Revision); and for incidental and connected purposes.

The Chairman: The question is that the title do stand part of the Bill. All those in favour, please say Aye. Those against, No.

AYES.

The Chairman: The Ayes have it.

Agreed: The title passed.

ADOPTION BILL, 2024

The Clerk:

Clause 1	Short title and commencement
Clause 2	Interpretation
Clause 3	Adoption principles
Clause 4	Application of the Convention
Clause 5	The Adoption Board of the Cayman Islands
Clause 6	Duties of the Board
Clause 7	Appointment and constitution of the Board
Clause 8	Term of appointment
Clause 9	Termination of office
Clause 10	Secretary to the Board
Clause 11	Requirement to make a declaration
Clause 12	Disclosure of interests
Clause 13	Duty of confidentiality by the Board and the secretary
Clause 14	Provision of services related to adoptions
Clause 15	Application of Part 4
Clause 16	Application expressing interest in adopting
Clause 17	Approval to bring child into the Islands for certain types of adoption
Clause 18	Home study assessment and report
Clause 19	Supervision report
Clause 20	Jurisdiction and procedure
Clause 21	Power of the Court to make adoption orders relating to a child
Clause 22	Power of the Court to make youth adoption orders

The Chairman: The question is that clauses 1 through 22 do stand part of the Bill. All those in favour, please say Aye. Those against, No.

AYES.

The Chairman: The Ayes have it.

Agreed: Clauses 1 through 22 passed.

The Clerk:

Clause 23	Application of Part 6
Clause 24	Eligibility to adopt a child
Clause 25	Court's power to dispense with consent to adoption
Clause 26	Consent to adoption - natural parents under eighteen years
Clause 27	Interim orders
Clause 28	Evidence of consent of parent or guardian
Clause 29	Functions of the Court as to adoption orders
Clause 30	<i>De facto</i> adoptions
Clause 31	Adoption by departmental foster parents
Clause 32	Application of Part 7
Clause 33	Application for youth adoption order
Clause 34	Eligibility to adopt a young person
Clause 35	Court's power to dispense with consent to adoption of young person
Clause 36	Functions of the Court as to youth adoption orders
Clause 37	Approval for intercountry adoption - Caymanians and residents
Clause 38	Approval for intercountry adoption – non-Caymanians and non-residents
Clause 39	Non-application of section 37 to certain adoptions
Clause 40	Approval to bring child into the Islands for adoption under section 37
Clause 41	Approval of overseas adoption of Caymanian child
Clause 42	Licence to send non-Caymanian child abroad for adoption
Clause 43	Memoranda of Understanding
Clause 44	Provision and exchange of information
Clause 45	Rules of Court
Clause 46	Hearings to be in private
Clause 47	Persons entitled to be heard
Clause 48	Duties of Court on making an adoption order
Clause 49	Right of access to reports
Clause 50	Order for medical information to be provided to adopters
Clause 51	Secrecy of previous identity
Clause 52	Change of name
Clause 53	Supervision in exceptional circumstances
Clause 54	Confidentiality of court files
Clause 55	Appeals to the Court of Appeal

The Chairman: The question is that clauses 23 through 55 do stand part of the Bill. All those in favour, please say Aye. Those against, No.

AYES.

The Chairman: The Ayes have it.

Agreed: Clauses 23 through 55 passed.

The Clerk:

Clause 56	Disclosure of information
Clause 57	Request by adoptee for information regarding original registration of birth
Clause 58	Effect of adoption order
Clause 59	Intestacies, wills and settlements
Clause 60	Provisions supplementary to section 59
Clause 61	Revocation of adoption order
Clause 62	Care and custody of child in the event of refusal of application or revocation of adoption order
Clause 63	Adopted Children and Young Persons Register
Clause 64	Restriction on making arrangements for placement or adoption
Clause 65	Restriction on advertisements
Clause 66	Restrictions on sending children abroad for adoption
Clause 67	Unlawful disclosure of confidential information
Clause 68	Making a false or misleading statement
Clause 69	Prohibition on payment for adoptions
Clause 70	Delegation by Director
Clause 71	Amendment of Schedules
Clause 72	Regulations
Clause 73	Repeal
Clause 74	Transitional provisions

The Chairman: The question is that clauses 56 through 74 do stand part of the Bill. All those in favour, please say Aye. Those against, No.

AYES.

The Chairman: The Ayes have it.

Agreed: Clauses 56 through 74 passed.

The Clerk:

Schedule 1	(section 2)
Schedule 2	(section 41)

The Chairman: The question is that Schedule 1 and Schedule 2 do stand part of the Bill. All those in favour, please say Aye. Those against, No.

AYES.

The Chairman: The Ayes have it.

Agreed: Schedule 1 and Schedule 2 passed.

The Clerk: A Bill for an Act to repeal and replace the Adoption of Children Act, 2013 and the Adoption of Children Act (2021 Revision); to clarify the procedure

regarding adoptions in the Islands; to provide for inter-country adoptions; and for incidental and connected purposes.

The Chairman: The question is that the title do stand part of the Bill. All those in favour, please say Aye. Those against, No.

AYES.

The Chairman: The Ayes have it.

Agreed: Title passed.

The Chairman: The question now is that the Bills be reported to the House. All those in favour, please say Aye. Those against, No.

AYES.

The Chairman: The Ayes have it.

Agreed: The bills will accordingly be reported to the House.

The Chairman: The House will now resume.

[Pause]

House resumed at 5:54 p.m.

The Speaker: The House is resumed.

Given the hour, may I invite the Honourable Premier to move the suspension of Standing Order 10(2), in order that the business of the House may continue beyond the hour of interruption.

Suspension of Standing Order 10(2)

The Premier, Hon. Juliana Y. O'Connor-Connolly: Thank you, Mr. Speaker.

Mr. Speaker, I rise for the suspension of Standing Order 10(2) to allow the business to continue beyond the hour of interruption until the conclusion of today's Order Paper.

The Speaker: The question is that Standing Order 10(2) be suspended in order that the business of the House may continue beyond the hour of interruption until the completion of today's Order Paper. All those in favour, please say Aye. Those against, No.

AYES.

The Chairman: The Ayes have it.

Agreed: Standing Order 10(2) is suspended.

REPORT ON BILLS

MISUSE OF DRUGS (AMENDMENT) BILL, 2024

The Speaker: I recognise the Honourable Attorney General.

The Attorney General, Hon. Samuel W. Bulgin: Thank you, Mr. Speaker.

Mr. Speaker, I beg to report that a Bill, the short title of which is the Misuse of Drugs (Amendment) Bill, 2024 was considered by a Committee of the whole House and passed without amendment.

The Speaker: The Bill has been reported to the House and is set down for a third reading.

TRAFFIC (AMENDMENT) BILL, 2024

The Speaker: I recognise the Honourable Temporary Minister of Planning, Agriculture, Housing, Infrastructure and Transport and Development.

Mr. Bernie A. Bush: Mr. Speaker, I am to report that a Committee of the whole House has considered the Bill shortly entitled the Traffic (Amendment) Bill, 2024 was passed with amendments.

The Speaker: The Bill has been duly reported to the House and is set down for third reading.

PUBLIC TRANSPORT BILL, 2024

The Speaker: I recognise the Honourable Temporary Minister for Planning, Agriculture, Housing, Infrastructure and Transport and Development.

Mr. Bernie A. Bush: Mr. Speaker, I am to report that a Committee of the whole House has considered the Bill shortly entitled the Public Transport Bill, 2024 and it was passed with amendments.

The Speaker: The Bill has been duly reported to the House and set down for third reading.

OLDER PERSONS (AMENDMENT) BILL, 2024

The Speaker: I recognise the Honourable Deputy Premier.

Hon. Kenneth V. Bryan, Deputy Premier: Thank you, Mr. Speaker.

Mr. Speaker, I am to report that a Committee of the whole House has considered the Bill shortly entitled the Older Persons (Amendment) Bill, 2024 and it was passed without amendments.

The Speaker: The Bill has been duly reported to the House and is set down for third reading.

CHILDREN (AMENDMENT) BILL, 2024

The Speaker: I recognise the Honourable Deputy Premier.

Hon. Kenneth V. Bryan, Deputy Premier: Thank you, Mr. Speaker.

Mr. Speaker, I am to report that a Committee of the whole House has considered the Bill shortly entitled the Children (Amendment) Bill, 2024 and it was passed with amendments.

The Speaker: The Bill has been duly reported to the House and is set down for third reading.

MAINTENANCE (AMENDMENT) BILL, 2024

The Speaker: I recognise the Honourable Deputy Premier.

Hon. Kenneth V. Bryan, Deputy Premier: Thank you, Mr. Speaker.

Mr. Speaker, I want to report that a Committee of the whole House has considered the Bill shortly entitled the Maintenance (Amendment) Bill, 2024 and was passed without amendments.

The Speaker: The Bill has been duly reported to the House and is set down for the third reading.

ADOPTION BILL, 2024

The Speaker: I recognise the Honourable Deputy Premier.

Hon. Kenneth V. Bryan, Deputy Premier: Thank you, Mr. Speaker.

Mr. Speaker, I am to report that a Committee of the whole House has considered the Bill shortly entitled the Adoption Bill, 2024 and was passed without amendments.

The Speaker: The Bill has been duly reported to the house and is set down for third reading.

THIRD READINGS

MISUSE OF DRUGS (AMENDMENT) BILL, 2024

The Speaker: I recognise the Honourable Attorney General.

The Attorney General, Hon. Samuel W. Bulgin: Thank you, Mr. Speaker.

Mr. Speaker, I beg to move that the Misuse of Drugs (Amendment) Bill, 2024 be given a third reading and passed.

The Speaker: The question is that a Bill shortly entitled the Misuse of Drugs (Amendment) Bill, 2024 be given a third reading and passed. All those in favour, please say Aye. Those against, No.

AYES.

The Speaker: The Ayes have it.

Agreed: The Misuse of Drugs (Amendment) Bill, 2024 was given a third reading and passed.

TRAFFIC (AMENDMENT) BILL, 2024

The Speaker: I recognise the Honourable Temporary Acting Minister of Planning, Agriculture, Housing, Infrastructure and Transport & Development.

Mr. Bernie A. Bush: Thank you, Mr. Speaker.

Mr. Speaker, I beg to move that a Bill shortly entitled the Traffic (Amendment) Bill, 2024 be read a third time and passed.

The Speaker: The question is that a Bill shortly entitled the Traffic (Amendment) Bill, 2024 be given a third reading and passed. All those in favour, please say Aye. Those against, No.

AYES.

The Speaker: The Ayes have it.

Agreed: The Traffic (Amendment) Bill, 2024 was given a third reading and passed.

PUBLIC TRANSPORT BILL, 2024

The Speaker: I recognise the Honourable Temporary Acting Minister of Planning, Agriculture, Housing, Infrastructure and Transport & Development.

Mr. Bernie A. Bush: Thank you, Mr. Speaker.

Mr. Speaker, I beg to move that a Bill shortly entitled the Public Transport Bill, 2024 be read a third time and passed.

The Speaker: The question is that a Bill shortly entitled Public Transport Bill, 2024 be given a third reading and passed. All those in favour, please say Aye. Those against, No.

AYES.

The Speaker: The Ayes have it.

Agreed: The Public Transport Bill, 2024 was given a third reading and passed.

OLDER PERSONS (AMENDMENT) BILL, 2024

The Speaker: I recognise the Honourable Deputy Premier.

Hon. Kenneth V. Bryan, Deputy Premier: Thank you, Mr. Speaker.

Mr. Speaker, I beg to move that a Bill shortly entitled the Older Persons (Amendment) Bill, 2024 be read a third time and passed.

The Speaker: The question is that a Bill shortly entitled the Older Persons (Amendment) Bill, 2024 be given a third reading and passed. All those in favour, please say Aye. Those against, No.

AYES.

The Speaker: The Ayes have it.

Agreed: The Older Persons (Amendment) Bill, 2024 was given a third reading and passed.

CHILDREN (AMENDMENT) BILL, 2024

The Speaker: I recognise the Honourable Deputy Premier.

Hon. Kenneth V. Bryan, Deputy Premier: Thank you, Mr. Speaker.

Mr. Speaker, I beg to move that a Bill shortly entitled the Children (Amendment) Bill, 2024 be read a third time and passed.

The Speaker: The question is that a Bill shortly entitled the Children (Amendment) Bill, 2024 be given a third reading and passed. All those in favour, please say Aye. Those against, No.

AYES.

The Speaker: The Ayes have it.

Agreed: The Children (Amendment) Bill, 2024 was given a third reading and passed.

MAINTENANCE (AMENDMENT) BILL, 2024

The Speaker: I recognise the Honourable Deputy Premier.

Hon. Kenneth V. Bryan, Deputy Premier: Thank you, Mr. Speaker.

Mr. Speaker, I beg to move that a Bill shortly entitled the Maintenance (Amendment) Bill, 2024 be read a third time and passed.

The Speaker: The question is that a Bill shortly entitled the Maintenance (Amendment) Bill, 2024 be given a third reading and passed. All those in favour, please say Aye. Those against, No.

AYES.

The Speaker: The Ayes have it.

Agreed: The Maintenance (Amendment) Bill, 2024 was given a third reading and passed.

ADOPTION BILL, 2024

The Speaker: I recognise the Honourable Deputy Premier.

Hon. Kenneth V. Bryan, Deputy Premier: Thank you, Mr. Speaker.

Mr. Speaker, I beg to move that a Bill shortly entitled the Adoption Bill, 2024 be read a third time and passed.

The Speaker: The question is that a Bill shortly entitled the Adoption Bill, 2024 be given a third reading and passed. All those in favour, please say Aye. Those against, No.

AYES.

The Speaker: The Ayes have it.

Agreed: The Adoption Bill, 2024 was given a third reading and passed.

MOTIONS

GOVERNMENT MOTION NO. 5 OF 2024-2025 BENEFICIAL OWNERSHIP TRANSPARENCY (LEGITIMATE INTEREST ACCESS) REGULATIONS, 2024

The Speaker: I recognise the Honourable Premier.

The Premier, Hon. Juliana Y. O'Connor-Connolly: Thank you, Mr. Speaker.

Mr. Speaker, I beg to move Government Motion No. 5 of 2024-2025: Beneficial Ownership Transparency (Legitimate Interest Access) Regulations, 2024.

WHEREAS section 22(6) of the Beneficial Ownership Transparency Act, 2023 provides that Cabinet may, subject to affirmative resolution in the Parliament, make Regulations empowering the competent authority to provide access to members of the public to beneficial ownership information;

AND WHEREAS the Cabinet approved the Beneficial Ownership Transparency (Legitimate Interest Access) Regulations, 2024 by circulation on 29 November 2024;

AND WHEREAS the Government of the Cayman Islands, pursuant to section 22(6) of the Beneficial Ownership Transparency Act, 2023 is seeking approval of the Parliament for the attached Regulations;

BE IT NOW THEREFORE RESOLVED THAT the Parliament hereby approves the Beneficial Ownership Transparency (Legitimate Interest Access) Regulations, 2024.

The Speaker: The Motion has been duly moved.

Does the Honourable Premier wish to speak thereto?

The Premier, Hon. Juliana Y. O'Connor-Connolly: Yes, thank you, Mr. Speaker.

Mr. Speaker, the topic of beneficial ownership is one that comes up regularly in discussions about our financial services industry. It has been a topic of particular interest in the UK for the past several years with often unflattering reports on the UK Overseas Territories.

As a brief history, Mr. Speaker, in October 2019, the Cayman Islands Government made a commitment to the UK to introduce a public register of beneficial ownership information when it became the international standard. The commitment, Mr. Speaker, was made in response to pressure from the UK on the Overseas Territories and the threat of a draft Order in Council by the UK, and they were considering to so activate.

Mr. Speaker, the Ministry of Financial Services and Commerce commenced a policy development in 2020, with the first public consultation on the subject taking place in 2021. In November 2022, the European Court of Justice issued a judgment where they declared that the public access to beneficial ownership information in Luxembourg and other member states was a disproportionate interference with the rights guaranteed by the Charter of Fundamental Rights. Given the judgment, Mr. Speaker, the following engagement with expert constitutional counsel, the Cayman Islands Government issued an updated commitment in December of last year to provide access to beneficial ownership information only to those members of the public who meet a legitimate interest test.

Mr. Speaker, the Beneficial Ownership Transparency (Legitimate Interest Access) Regulations, 2024 were developed in line with this updated commitment and were consulted upon extensively with industry members. On the topic of consultation, Mr. Speaker, during the last round of consultation in October of this year, the majority of the comments provided by industry members were suggestions to enhance the clarity of certain provisions rather than concerns about the policy itself.

Mr. Speaker, on the 27th November this year, Cabinet approved the Beneficial Ownership Transparency (Legitimate Interest Access) Regulations, 2024. These regulations have been developed to provide access to beneficial ownership information to a Member of the public who is engaged in journalism or academic research, acting on behalf of [a] civic society organisation, or seeking information in the context of a business relationship or transaction.

Mr. Speaker, a member of the public falling within one of these categories of people that I just mentioned, must also give evidence that they have a legitimate interest in the information being sought as they are seeking it for the purpose of preventing, detecting,

investigating, combating or prosecuting money laundering, its predicate offences or countering the financing of terrorism. Mr. Speaker, these regulations carefully balance transparency with privacy rights and were drafted in collaboration with expert constitutional counsel, namely, Sir Jeffrey Jowell, KCMG, KC.

With the UK previously not accepting legitimate interest access as a mechanism to provide public access, and pushing Overseas Territories to introduce full publicly-accessible registers, the team and I were ready to make our case when we attended the Joint Ministerial Council last year. At this juncture, I also wish to thank the former Minister responsible for Financial Services as well as the former Premier for the foundation work that they did when they went to the UK and made a commitment a year or two ago.

However, Mr. Speaker, the meeting that I had with the Minister of State (Europe, North America and Overseas Territories), the Hon. Stephen Doughty, MP, was very fruitful. The Overseas Territories MP was very accommodating; there was acceptance with the path that we created and committed to, with just one relatively minor concern raised, about legitimate interest access applications. The Minister of Financial Services and Commerce, made the necessary amendments that meet this ask while also respecting privacy and our constitutional obligations.

Mr. Speaker, successful discussions were also held at the Joint Ministerial Council (JMC) itself, with the acceptance of legitimate interest access being the path which the Cayman Islands as well as some of the other Overseas Territories stuck to.

Mr. Speaker, in the JMC communiqué, there was mention of publicly accessible registers of beneficial ownership and global norms, but the mention relates to the Overseas Territories noting the UK government's ambition that publicly accessible registers of beneficial ownership become a global norm. However, Mr. Speaker, the agreed communiqué speaks of our commitment to legitimate interest access registers with legislation approved by April 2025.

Mr. Speaker, I therefore left the JMC with even more confidence in the approach taken by the Cayman Islands. As such, Mr. Speaker, under section 22(6) of the Beneficial Ownership Transparency Act, 2023, these regulations are subject to affirmative resolution of this honourable House.

Mr. Speaker, I therefore commend the Motion for the Beneficial Ownership Transparency (Legitimate Interest Access) Regulations, 2024 to be approved in this honourable House. As Members will recall, they were laid on the Table of Parliament earlier this week.

Thank you, Mr. Speaker.

The Speaker: Does any other Member wish to speak?
[Pause]

The honourable Member for Bodden Town West.

Mr. Christopher S. Saunders: Thank you, Mr. Speaker. My contribution should be quite short.

I've always had an issue with beneficial ownership when it comes to privacy rights, and I think our position has always been that when it becomes a global standard it is something we will look at. I know the pressure that comes to bear on the Government with regards to this and I do sympathise with them in that regard but recognising, as the Premier mentioned in her address, the ruling of the European Court of Human Rights with regard to privacy, et cetera, this is something that I still have very deep reservations and concerns about.

At this point, I don't think I can support it until it becomes a global standard, but I can only speak for me and the people whom I represent.

Thank you, Mr. Speaker.

The Speaker: Does any other Member wish to speak?
[Pause] Does any other Member wish to speak?
[Pause] Does any other Member wish to speak?
[Pause]

If not, I'll invite the Honourable Premier to exercise her right of reply.

The Premier, Hon. Juliana Y. O'Connor-Connolly:
Thank you, Mr. Speaker.

Thanks to the Members for their understanding of the importance of this and the pressures that bear. I also wish to thank the Member for Bodden Town West for his opinion, it is a democracy and we appreciate the individual opinions of all.

Mr. Speaker, beneficial ownership has been a key topic for our financial services for several years. It is fair to say that there have been some concerns that pressure from the United Kingdom to have publicly accessible registers would adversely affect our financial services industry. Mr. Speaker, thankfully, this has not come to pass. These Regulations provide what we believe are an acceptable and balanced alternative that will appropriately address the issue of access to beneficial ownership information to those persons whose objective is to help combat and prevent money laundering without infringing our privacy acts or infringing our constitutional obligations.

Mr. Speaker, in the past, there have been much trepidation in the Cayman Islands taking a leadership role where international standards were still evolving. The preference was to lag behind and to take a "wait and see" approach. This has often been a risky proposition and one that, on occasion, worked to our competitive disadvantage. However, if we do not proactively engage with the international standard setters on best practice and evolving standards, we lose the opportunity to ensure that the Cayman Islands financial services are fully understood internationally and that such standards remain proportionate when effectively deployed. With several assessments in our near future, most notably our Fifth Round of the Financial Action

Task Force (FATF) Mutual Evaluation assessment, this bold step with respect to the transparency of our entities will also help to mitigate the risk of being left behind when standards change.

Mr. Speaker, our step to introduce legitimate interest access does not, in our considered opinion, put the Cayman Islands in any forward-looking position that has been noticed by major jurisdiction and international standard setters. By working collaboratively, we have an opportunity now to help shape the discussion on beneficial ownership and act in the best interests of the Cayman Islands. What has been absolutely clear to us, Mr. Speaker, over the past few years is that we have taken a steady, principled approach to beneficial ownership while being cognisant of our Constitution, International Jurisprudence and the needs of our local industry which has always been consulted. By developing this expertise, Mr. Speaker, I believe we are now in better control of the path that we have taken with regards to beneficial ownership transparency.

We are upholding our role in this global fight against illicit activity. We are helping to secure the continued success of our financial services which is a very forefront runner of our revenue in this country. Former governments and Ministers, including the present, are very cognisant of the sensitivity of this particular area and I can assure you that it went without notice that the line in the sand was that if we were insisted upon to go to full beneficial ownership, that we too would have taken a route to the European courts. That was fully understood, Mr. Speaker, and I am happy to say that we came away with the Prime Minister saying that they would not invoke an Order in Council.

As I've said on the radio before, I held out, even against advice within our own camp on the communiqué, to ensure that there were necessary filters including that it had to be done with our constitutional rights, because once I had been given the assurance that this current Government would not go to the Order in Council, it meant I had no fear of them single-handedly or unilaterally, trying to change the Constitution that you so ably put in place. I thank you for your involvement to that extent.

Thank you, Mr. Speaker.

The Speaker: The question is BE IT NOW THEREFORE RESOLVED THAT the Parliament hereby approves the Beneficial Ownership Transparency (Legitimate Interest Access) Regulations, 2024. All those in favour, please say Aye. Those against, No.

AYES and one audible No [by Mr. Christopher Saunders].

The Speaker: The Ayes have it.

Mr. Christopher S. Saunders: Mr. Speaker, can I have a division, please?

The Speaker: Madam Clerk, division.

Division No. 25 of 2024-2025

AYES: 9

Hon. Juliana Y. O'Connor-Connolly
Hon. Kenneth V. Bryan
Hon. Isaac D. Rankine
Ms. Barbara E. Conolly
Mr. André M. Ebanks
Hon. Katherine A. Ebanks-Wilks
Mrs. Sabrina T. Turner
Hon. G. Wayne Panton
Mr. Roy M. McTaggart

NOES: 1

Mr. Christopher S. Saunders

ABSENT: 8

Hon. Johany S. Ebanks
Hon. Dwayne S. Seymour
Mr. Bernie A. Bush
Hon. W. McKeever Bush
Hon. Joseph X. Hew
Hon. Heather D. Bodden
Mr. Moses I. Kirkconnell
Mr. David C. Wight

The Speaker: The results of the division; 9 Ayes, 1 No, 8 Absentees. I declare Government Motion No. 5 of 2024-2025 duly passed.

Agreed: Government Motion No. 5 of 2024-2025 passed.

The Speaker: Madam Premier, we've come to the end of the Order Paper and indeed the end of all of the business set for this Meeting of the House.

It has been customary, even before I became a Member of Parliament, at this point in the year for Members to have the opportunity to offer *brief* Christmas greetings and well wishes to their constituents. I shall afford that opportunity, Madam Premier, beginning with your good self—and I emphasise brief.

The Premier, Hon. Juliana Y. O'Connor-Connolly: Thank you, Mr. Speaker.

The Premier, Hon. Juliana Y. O'Connor-Connolly: Mr. Speaker, seeing that I did not avail myself many, many times in the past almost 30 years, and seeing that this is going to be my last one, I would actually beg your indulgence for me to be brief plus one.

As we come, Mr. Speaker, to the end of this calendar year, I am grateful for your permission to address the honourable Parliament and by extension, the good people of the Cayman Islands and in particular, the people of Cayman Brac and Little Cayman during this advent season where hearts are filled with hope and anticipation for celebration of the birth of our Lord and Saviour.

Therefore, Mr. Speaker, as we close out the Second Meeting of the Parliament, I wish to bring on behalf of the elected Members—and that's my valiant

attempt to speak on behalf, but it may not happen—and my fellow Cabinet Members, Season's Greetings to the people of the Cayman Islands as we have arrived at the culmination of another year by the grace of God.

The year 2024 has been a momentous one, Mr. Speaker, for many reasons. As I stand on the floor of this honourable Parliament, I acknowledge our successes as well as our challenges. Most of all, I wish to express my gratitude for both the successes and challenges as they have served to strengthen my faith and resolve while humbly reminding me of the many blessings that we enjoy in these beautiful Cayman Islands.

Mr. Speaker, I would like to express my gratitude to the people of the Cayman Islands for continually demonstrating resilience through the ups and downs of this year. It would be remiss of me, not to mention the public service who has remained buoyant through the most unexpected and uncharted waters this year. Ably led by our most capable Deputy Governor, they have followed his example and personal commitment to delivering public services. As elected leaders, Mr. Speaker, we are keenly aware that no policy, no good outcome, no service to our people can be successfully delivered without our public servants.

Mr. Speaker, I am sure that I can speak for all Members here today in expressing heartfelt gratitude to these public servants.

[Desk thumping]

The Premier, Hon. Juliana Y. O'Connor-Connolly: Special thanks also to you, Mr. Speaker, for your sterling management of the Chair and the Chamber. Thanks to Madam Clerk and to her hard-working staff for all of their assistance throughout.

Mr. Speaker, our system of democracy continues to stand the test of time. I trust that we as elected leaders will remain fervent and steadfast in our own efforts despite the changing times in which we live. Mr. Speaker, these efforts include good governance practices that we have seen throughout and holding ourselves accountable for the responsibility that comes with the roles in our high office, no matter what side [of] this Parliament that we are seated. Mr. Speaker, our common goal should remain to better the lives of those we serve, who choose us to represent them within this honourable Parliament.

Representation extends well beyond these walls, Mr. Speaker, and 2024 allowed many opportunities for us to represent these Islands overseas through international diplomacy and engagement. I am therefore pleased, Mr. Speaker, to have had many exchanges with leaders from far-reaching nations that strengthen our ties in the Caribbean and Commonwealth neighbours, as well as with the members of the United Kingdom government. These exchanges, Mr. Speaker, elevated the Cayman Islands standing as a global leader which has been our primary mission, and I do believe that we have been successful in this

regard. Truth be told, the world still watches the Cayman Islands.

Mr. Speaker, we have been on a journey of nation building and our progress has been through the strength and abilities that is within each of us. We must therefore continue this mission as we reconnect and recommit to the enduring legacy of our forebears. Our collective goal, Mr. Speaker, must be to ensure that we rise to the fullest potential as Caymanians, inspired by the great works of our forefathers and motivated by future generations of Caymanians, that means, staying true to the firm foundation upon which our Islands were founded, for He certainly *hath founded it upon the seas*.

Mr. Speaker, as we slow down now to celebrate the true meaning of Christmas, the birth of Jesus Christ, I want to implore all of us to remain mindful of our neighbours, our vulnerable and elderly; those grieving among us, and persons fighting public and silent battles. 'Tis the season to remember the greatest gift ever given to humanity, which we can all do by remembering to extend to others, a singular, intentional act of kindness without any strings attached.

Mr. Speaker, the word love is not often used in this Parliament but it forms the backdrop of the Christmas story. It is the foundation of the sacrifice, and when given, is a priceless gift, especially around the holidays. Let us therefore, Mr. Speaker, be reminded to make room for our loving neighbours during this Christmas season. It is perhaps easier for us to establish traditions, and yes, we do find joy and comfort and order in them and such routines. The true meaning and reason of the season gets buried beneath our busy schedules and our many obligations, and are perhaps more relevant to us here as parliamentarians—especially as this is the Christmas before the next general elections, our focus is cast beyond the Christmas season.

However, I would urge all of us, Mr. Speaker to remember the innocence of our childhood when we eagerly anticipated Christmas and the New Year and we embrace the birth of Christ as a story of hope of all humanity. Let us therefore offer and receive the gift of love and kindness as we enter into the holiday season.

I offer these words of advice to each of you as the longest-serving woman in the history of this Parliament. Being elected to serve our people is, first and foremost, a privilege, one which none of us should ever take for granted.

However, as parliamentarians, there are many people who sacrifice so much to ensure that we are able to fulfil our duties and functions of our high office. Those are the people in our constituencies, our ardent supporters, the staff here in Parliament, and as I indicated earlier, the civil servants and public officers, our families and our loved ones. They are the unseen ones of time who face the ridicule and the pain that often goes with the cut and thrust of politics. Therefore, to each of you, my colleagues, if you are privileged to have loved ones, ensure you take time this Christmas to express your love and appreciation to each of them.

As I close, Mr. Speaker, I must say that it is indeed a bittersweet moment for me today in this esteemed House of Parliament as I acknowledge this as my final Christmas in the service as an Elected Member of Government. It is with the deepest sense of gratitude that I wish to express my love and appreciation to my family who since 1992 have been in the arena with me. I also want to thank my people of Cayman Brac East, as well as everyone else in the entire Cayman Islands; serving you as your representative for the past 28 years has been a privilege, and indeed an absolute honour.

Mr. Speaker, growing up in a community of Watering Place, Cayman Brac (now referred to as 180 Brown Square) the ringing of church bells was very much tradition, as it was in churches across the entire Cayman Islands. I am reminded of two verses from the Christmas carol,

*I heard the Bells on Christmas Day—
And in despair I bowed my head;
“There is no peace on earth,” I said,
“for hate is strong and mocks the song
of peace on earth, good will to men.”
Then pealed the bells more loud and deep:
“God is not dead, nor doth He sleep,
The wrong shall fail, the right prevail
with peace on earth, good will to men.*

Mr. Speaker, let us not be despair, for we have hope and optimism in Christ, our Lord and Saviour; we have three beautiful and incredibly blessed Islands where we still can enjoy peace and share good will towards each other.

Mr. Speaker, I pray that you and your family, and all my esteemed colleagues enjoy a safe, peaceful Christmas and a prosperous 2025. May the good Lord continue to bless these beloved Cayman Islands. I thank you for your indulgence.

[Desk thumping]

The Speaker: Spoken like the stateswoman that you are, Madam Premier.

Does any other Member wish to speak? Honourable Deputy Premier.

Hon. Kenneth V. Bryan, Deputy Premier: Thank you Mr. Speaker. I will definitely take your guidance in being very brief, but it would be remiss of me not to take this opportunity to thank the strong staff at the Ministry of Social Development with the passage of four very important bills today, so I want to thank them and all stakeholders involved.

Today is indeed a very successful sitting of Parliament and it does show that though we are a minority government, we can still keep the Government functioning and the Parliament functioning by working together in partnerships on what is important for the people.

Mr. Speaker, I want to say thank God, thanks to all my staff in the Ministry, thank the whole of the civil service, and my amazing colleagues within the Government for working together over the last year.

Mr. Speaker, I want to also say thank you. This is probably one of the best sittings of Parliament that I have had in relation to our strong relationship, to and fro. More importantly, to my constituents of George Town Central, thank you for all your continued support over this very turbulent three years and eight months thus far. We have a much longer journey to go. Thank you to my family for being able to deal with all of that turbulence while we go through it.

With that being said, I have a Christmas message that will be going out, so I won't take up the time tonight, but just to wish everybody who resides in the Cayman Islands a very, very Merry Christmas and a Happy New Year. May the Lord bless you and keep you this Christmas season.

Thank you, Mr. Speaker.

The Speaker: Honourable Minister for Border Control, Labour & Culture, Sustainability & Climate Resiliency, and Wellness, Minister Seymour.

Hon. Dwayne S. Seymour: Thank you, Mr. Speaker.

Mr. Speaker, this has been a most cantankerous and momentous year, all in one, yet we stand here as a stable democracy and still holding the good ship Cayman high in esteem.

I want to thank the civil service; I want to thank Members of Parliament; I want to thank the people of the Cayman Islands; our churches, our pastors; our families and friends, near and far; and our constituents. I want to say thank you to Bodden Town East. Thank you for affording me this valuable piece of real estate to fight on your behalf, and that I will do.

Let us be reminded that Jesus is the reason for the season and it should be our goal to join him at the pearly gates. I ask for ceasing of wars, famine, and loneliness. Father, I ask for your ever-present blessing with the five Ministers who are still holding the good ship Cayman.

Mr. Speaker, I've definitely tried to make my mark throughout this construct of Government, bringing in the first confidence vote in the Cayman Islands, this being the second time the construct of five Ministers is trying to hold up the Government in a lame duck situation. It is a lot of stress, on top of stress that we had before the stress.

Mr. Speaker, I hope the magic of Christmas fills every corner of your heart and your home with joy, now and always. May your families have a holiday season that is full of wonderful surprises, treats and non-stop laughter. Our family wishes you love, joy and peace, today, tomorrow and always.

Mr. Speaker, I love every Caymanian. Even those that appear to hate; I pray for people who hate me every morning; that is just my nature. On the 21st

December at 3 p.m. I will show more of that love to the children of the Cayman Islands in Bodden Town East, where we will have our Christmas party, and on the 31st of December, we will have live fireworks and music bands and we'll have a good time until 3 a.m.—just like how David danced.

Thank you all for showing up as a Parliament even in this construct. It means a lot to the country to see that, even though we're going through our differences we're still able to meet, do the business of the country and serve our constituents, and enjoy Christmas.

God bless you all. Pay attention to your families. Politics tear families asunder. No one loves having their family member in politics, but someone has to do the job. Pray for each other. God bless you all.

The Speaker: Please, don't everybody get up at once.

[Laughter]

The Speaker: The Honourable Deputy Leader of the Opposition.

Ms. Barbara E. Conolly, Deputy Leader of the Opposition, Elected Member for George Town South: Thank you, Mr. Speaker.

Mr. Speaker, this is going to be very brief. I rise to wish my constituents of George Town South, and the wider Cayman Islands, a Merry Christmas and a happy, blessed and healthy 2025.

Yesterday, the PPM [People's Progressive Movement] held our annual seniors' luncheon and it was such a joy. We had a wonderful afternoon, just spending time with our seniors—good food, good laughter and good entertainment. They danced and had a wonderful time.

That's what I like about Christmas, spending time with my family and the older folks; that's where I get my joy from, so I encourage all Members of this honourable House to take time out this holiday season to visit a senior. Invite them over for lunch, dinner, Christmas Day. I've done the same; I have one or two families coming over to my family's Christmas lunch just because they may not have a home or they may not have any family to share Christmas Day with.

That's my short message. Again, Merry Christmas to everybody. We love you all.

The Speaker: Minister Rankine.

Hon. Isaac D. Rankine: Mr. Speaker.

I stand to offer Christmas greetings to the people of the Cayman Islands and, in particular, my constituency of East End.

Mr. Speaker, we are blessed. These Cayman Islands are truly, truly blessed and no matter our differences, no matter disagreements, we can agree that there is no place like the Cayman Islands. We've had

our many ups and ups and downs, but that is democracy at work. Mother Teresa said **"It is Christmas every time you let God love others through you...yes, it is Christmas every time you smile at your brother [and I guess in this case, your sister] and offer him or her your hand."**

Mr. Speaker, let us not forget the reason why we celebrate Christmas and that is the birth of our Lord and Saviour Jesus Christ. You know, Isaiah 9:6 says:

**"for unto us a Child is born,
unto us a child is given;
and the government shall be upon His shoulders.
And his name shall be called
Wonderful, Counsellor, Mighty God,
Everlasting Father, the Prince of peace."**

Mr. Speaker, I want to thank the good people of East End for giving me the opportunity to represent them. I thank my family, for their love and support. I thank you, my colleagues, and this Parliament and its staff for your friendship, and also to my staff in the East End office. I, too, want to really, really drive home the importance of family in times like this, Mr. Speaker.

Mr. Speaker, may God continue to bless the beautiful people and these beautiful Cayman Islands. Thank you.

The Speaker: The honourable Member for George Town East.

Mr. Roy M. McTaggart, Elected Member for George Town East: Thank you, Mr. Speaker. I, too, shall embrace your instructions to be brief. Thank you, sir.

I just want to extend Christmas greetings to you and your family, and thank you for the role you have played in this Parliament this year; for the leader that you have been certainly over all the years I have been in this Parliament.

The Speaker: Stop, don't make me cry now.
[Laughter]

Mr. Roy M. McTaggart: All right, I won't. I especially appreciate too, the staff of the Parliament and the support that they provide for us all. I know sometimes we make life very difficult for them, but they rise to the occasion and make sure they do what we ask of them. They are very supportive of us, and I am grateful for that and wish to acknowledge that and say thank you all for what you do.

To all my colleagues here in this Parliament, I wish you all a very happy Christmas and a very prosperous 2025. [The year] 2025 will be interesting for all of us as we will be facing the people once again and seeking to be elected.

I do hope we will all take time to spend a lot of time with our families this Christmas. For me, that's what Christmas has always been and will always be. Christmas Eve, I will have a lovely dinner with my three

brothers and their families, and on Christmas Day, I will spend the day with my three children and four grandchildren, which will give me so much joy I could not even begin to describe it—you can't.

I am looking forward to the time off. At this point I am almost bursting with joy that we have come to the end of Parliament.

[Laughter]

Mr. Roy M. McTaggart: You know what? It's time to get out of here and let's go and start to do the things that we want to do, so beginning tomorrow, I'll start making my way throughout the community, in my constituency, to meet and talk with people and share the good news with them.

I wish you all, I wish my constituents and the wider Cayman Islands, a very Merry Christmas and a very happy and prosperous New Year. Look forward to 2025 with much hope and great anticipation and we'll see everyone here again in January or February of next year. Till then, I wish you all, everyone here, Merry Christmas.

The Speaker: The honourable Member for Newlands.
[Laughter] It's been a long day.

Hon. G. Wayne Panton: Thank you, Mr. Speaker.

Mr. Speaker, I wish to take the opportunity to extend happy Christmas wishes, safe and secure Christmas wishes firstly, to my constituents whom I have the pleasure of representing, those members of my community, my constituency of Newlands. They're the reason I am here, to represent them, to represent their interests and try to make a difference in their lives.

Mr. Speaker, I also want to extend those same wishes to all of my colleagues in this honourable Parliament. Mr. Speaker in particular, I extend those to you as the Presiding Officer in this Parliament and for the job that you have done this year. I extend those to all of the people of the Cayman Islands that we all collectively have the honour to represent. We all live in these three beautiful Islands that are truly some of the most special places in the world, and it is our honour and our privilege to represent the interests of the country and our three little jewels and the people that inhabit them.

Mr. Speaker, I agree with other Members about the importance of spending time with family, spending time with our seniors—and of course, our children. It has been very poignant that we have been dealing with Bills which relate to those particular categories of our society. I think it's appropriate that so much progress has been made in addressing the issues and the rights and clarifying the obligations around those particular categories of our society who are vulnerable and wonderful at the same time.

Mr. Speaker, I want to extend those Christmas wishes as well to all Members of Parliament and all members of the civil service. Well, let me extend it to all

of the public service, for the work they do in this country to make a difference and improve the lives of our people through the work we do here; the work that's done in the Government Administration Building, and all across the country, in terms of their interactions and delivery of services.

Mr. Speaker, I know there are families this Christmas that will have the unfortunate experience of grief, of having empty chairs around their dinner tables, so I want us all to remember those in our prayers, remember those people in our visits, and let's try to ensure that we assist in whatever way we can to lift their spirits as well.

Mr. Speaker, tonight, my Colleague, the Member for Savannah, Ms. Heather Bodden and I will be joining a great gathering of our seniors. She's obviously headed off early in order to ensure it is a wonderful experience for them, and ensure that everything goes perfectly, as she is always wont to do. I would say on her behalf as well, I'm sure if she was here she would extend her best wishes, her desire for a wonderful, safe Christmas for all of her constituents of Savannah. The reason she isn't here is just her dedication to making sure that the job is done right, and the seniors that we are serving tonight are happy.

Mr. Speaker with that, I thank you very much. All the best to all of the Cayman Islands and let's have a safe, happy and healthy entrance, into and through 2025. Thank you.

The Speaker: The honourable Member for Prospect.

Mrs. Sabrina T. Turner, Elected Member for Prospect: Thank you, Mr. Speaker. I will follow instructions and be very brief, but thank you for allowing me this opportunity to extend warm holiday and Christmas wishes to yourself, and the Parliament, for all of the support that I've been given through the year. To the civil servants and definitely, my colleagues but, especially, to my immediate family who has been my rock, my cornerstone, throughout this entire journey. To my very small yet dedicated constituency office assistance crews; and definitely to my small committee.

I, too, share the sentiments of my honourable friend from Bodden Town East regarding the importance of family and of being around them, especially during this holiday season; because at the end of it all, we're here to serve the greater Cayman Islands, but family is our bedrock.

To the wonderful people of Prospect as we embrace the joy and warmth of the holiday season, I would like to extend my heartfelt gratitude to each of you for your unwavering support and dedication to our vibrant community. We saw that vibrancy last week Thursday when we had our Christmas party, and definitely the joy of Christmas will ring loud again on Monday 23rd, as I do my annual drive through within the inner roads.

Christmas is a time of reflection, togetherness and gives us an opportunity to celebrate the love and

unity that binds us as neighbours and friends. Let us cherish these moments with our loved ones, extend kindness to those in need, and foster the spirit of hope and renewal. As your representative, I will remain committed to serving you; together we have accomplished much and I look forward to continuing on our journey of growth and prosperity in the year ahead.

May your Christmas be filled with peace, laughter and blessings and may the New Year bring good health, happiness and success to you and your family. Merry Christmas to everyone, Happy New Year when it comes, and God bless.

The Speaker: The honourable Member for West Bay Central.

Ms. Katherine A. Ebanks-Wilks: Thank you, Mr. Speaker. Thank you for this opportunity to share short Christmas greetings. I know there are a number of us here this evening, so I will be brief.

Firstly, I want to take an opportunity to wish the people who have placed me here, the good people of West Bay Central, to wish them and their families a very Merry Christmas and a safe and prosperous New Year. To all of the Members of Parliament, including yourself Mr. Speaker. We spoke this afternoon about the importance of each of us unplugging and spending time with our own families; I certainly intend to do that this Christmas. I wish each of you and your families, Happy Holidays.

I'd also like to just take a minute to acknowledge all of the staff, my constituency staff and the Ministry staff that supported me while I was the Minister, as well as the members from the Department of Environment. I want to wish them all very Happy Holidays. The Member for Newlands touched on the importance of remembering those who are dealing with grief, and the former Leader of Opposition spoke about his intentions to spend time with his family and his children. They reminded me instantly of a personal void that I have with not having my dad to spend Christmas with. I then started to think about all of those people in the community who have empty chairs in their homes. I'm encouraging all of the Members in this Parliament, as well as those in the community, to check in on your neighbours and spend time with them because that is really a true gift that anyone can give here on earth, and we choose to remember the reason for the season throughout this holiday season.

Mr. Speaker, I thank you for this opportunity to give greetings. Just before I sit, I would like to remind all of my constituents and the residents of West Bay that I will be having my annual Christmas Carnival this Thursday evening at the Heritage Park from 5 p.m. to 9 p.m.

I thank you, sir.

The Attorney General, Hon. Samuel W. Bulgin: Mr. Speaker, thank you.

To briefly wish all my colleagues—yourself, the Honourable Premier—and families, a very Merry Christmas and all the best for the New Year, good health and prosperity.

Mr. Speaker, I am one of those who are of the view that we have much to celebrate and be proud of this year. We have accomplished much in terms of Parliament, we have done quite a bit of very important legislation as it relates to law and order, social matters as well as financial services. We are fortunate, Mr. Speaker, to be living in a country like this; I see the glass as half full not as half empty. I think there's everything to be proud of and to be thankful for. Like all others, I intend to use the down time to bond with my family, get some nice glasses of sorrel and let my hair down quite a bit—

[Laughter]

The Attorney General, Hon. Samuel W. Bulgin: I want to use the opportunity to thank everyone, including my staff for an exceptional year. It has been a challenging year, but I think we have demonstrated as a collective in this Parliament and beyond, that we all have the capacity to get along, Mr. Speaker.

I certainly want to wish everyone a Merry Christmas and all the best for 2025. Thank you.

The Deputy Governor, Hon. Franz I. Manderson: Mr. Speaker, thank you. As you have indicated, I will be brief.

Mr. Speaker, I rise to wish you and everyone in this Chamber a Merry Christmas. I want to also single out the staff here in the Parliament who work very hard and diligently and make our lives better while we're here.

Mr. Speaker, I recall we were here last year, a bit earlier, I think, than we are now. We have the tradition of saying Merry Christmas to everyone and I remember getting up and passing on Christmas greetings. What I didn't know, was that last year Christmas would be the most challenging Christmas of my life when I spent Christmas in the hospital overseas with my dear wife as she battled a life-threatening disease.

Mr. Speaker, with the grace of God and much prayer and support, she is doing very well now and I want to thank everyone in this House, those in the Civil Service and the entire Cayman Islands, for their prayers and support. We received thousands of well wishes and prayers. It certainly made us feel very special and blessed. Mr. Speaker, I got tremendous support from Her Excellency, the Premier, my Cabinet colleagues. So many people, Mr. Speaker, I don't want to start naming them, but it has been a good lesson for me in terms of true Caymankind, people who just sent me a message to say, we're thinking about you and praying for you. Those things really mean a lot when you are dealing with a crisis.

Mr. Speaker, I want to thank all members of our Civil Service. It warms my heart when I hear Members of the Government and the Opposition talk about the good work the civil service is doing because, Mr. Speaker, there is tremendous work that goes on in the civil service every day—work that people take for granted. We do some amazing things in the civil service to support the Government, to make people's lives better. Mr. Speaker, please indulge me for a minute.

You know, I see it every day. Civil servants going above and beyond the call of duty to carry out the policies and programmes of the Government; to keep us safe. Maybe two weeks ago there was a lady whose very young son was diagnosed with leukaemia. She is married to a Caymanian and her husband immediately went with the child to the United States, but she couldn't go because she didn't have a visa and she is from a country which required a visa to enter the United States. We were able to process her application for naturalisation very quickly; I met with her, Mr. Speaker, and she was so appreciative of the extra effort we in the civil service had made to allow her to visit her sick child.

[Inaudible interjection]

The Deputy Governor, Hon. Franz I. Manderson: Yes, it speaks to what the civil service is all about: making people's lives better.

I remember the case of the gentleman who has been in the Cayman Islands for, I think, longer than I have, who needed to represent the Cayman Islands in London but never had a Cayman passport and we were able to process his application within days and get him to London so that he could represent us over there. Mr. Speaker, I could spend the rest of the afternoon talking about the decisions that we have made in the civil service to make people's lives better, and that's why I'm proud.

Mr. Speaker, I want to thank my senior team, the staff in my office and my Personal Assistant, Tensha. Like I said, it warms my heart to be in the midst of so many outstanding civil servants who care about our beloved Islands.

Mr. Speaker, my message to the wider Cayman public is, do not take this Christmas for granted. I mentioned how I spent my time last Christmas. Do not take this time for granted, spend time with your loved ones, call someone you have not seen for a while and tell them hello and that you appreciate them. Christmas is a special time of the year.

Mr. Speaker, for those who like to drink alcohol, stay home, stay off the road; "No more in 2024". I believe we have lost eleven lives this year, Mr. Speaker. That is enough so, no more in 2024.

God bless you all. Thank you.

Mr. André M. Ebanks: Good evening, Mr. Speaker.

First of all, Season's Greetings to all of you colleagues, and may the Lord be with all of you.

Mr. Speaker, I waited for the Attorney General to rise before me because it's been an honour, sir, to have been on the anti-money laundering and combating the financing of terrorism (AML/CFT) journey with you. You could see the fruit of the labour coming off the grey list last year, numbers of incorporations and registrations up this year, financial services, people feel free to market their products without the blemish of being on any of the lists including the EU's AML list.

It was also a pleasure, sir, to be with you at the October 2024 plenary where Cayman was invited as a guest Member of the FATF in recognition of our hard work and for being a beacon in the region and beyond. We exhibited that again here today with staying ahead of the curve and not waiting, resting on our laurels to be forced to do something but staying at the vanguard; so thank you. I don't know how you keep up with it, sir. I see you keeping up with domestic legal questions while we're sitting in Paris and still keeping up with the FATF—Deputy Governor, we will have large shoes to fill whenever this tower of a legal mind departs and retires. You keep saying you won't be around for the Fifth Round of the FATF, I'd like to talk you out of that, but thank you, sir.

All the social development Bills that we went through today, absolute honour and privilege to the public service. Thank you all for everything that you do.

Mr. Speaker, earlier you said the Deputy Premier earned his money today. I think the Deputy Clerk, Patricia Priestley, also earned her money today, reading out all those clauses—well done.

I want to invite all those of West Bay South to our Christmas party tomorrow, entitled "Holiday Magic". That will be across from Foster's West Bay on Willie Farrington Drive on Dalkeith Bothwell's land. Come out, have fun, enjoy, just have some fellowship.

Mr. Speaker, this is also a special, special Christmas season for me. As some of you may know, my in-laws expanded. My wife discovered, lovely discovery, that her biological father was Captain Harrison Bothwell, so now there are double in-law parties to attend. The good thing is the majority of them were constituents anyway, so I have to go see them in any event, but now I'm seeing them in the capacity as in-laws and what a blessing, to have increased family at this time for the first time; even though sadly, it will be without Captain Harrison, but that's part of his legacy.

To my immediate family, I cannot thank you enough for all that you endure, your support and smiling faces, which I'm sure happens to all of us. When you get home, a tough day of public service just melts all away when you're with your spouse and you see the children light up. Mine is still at the age when I'm still a conquering hero. My dad told me to ensure I savour that, because it will change in the teenage years, but I'll savour it for now. God bless, I love you all.

As the Deputy Governor said, it is time now to really look at safe driving. Please, everyone, be safe on the road. We sent a strong signal, in this House, with the Shemaiah Grant Order amendment which should show the whole country that we're taking this very seriously. We need our roads to be safer and that is an important one, and we'll have more work to do to bolster our road safety but let that shine out as we go forward into this holiday season to stay safe. To the Grant family and all those in that position, as Shemaiah would wish us and he would sing, we'll continue to soldier on **"wave after wave, wave after wave"**.

God bless and Season's Greetings, colleagues. Happy Christmas!

The Speaker: I think...oh.

[Laughter]

Mr. Christopher S. Saunders: It sounded like Vybz Kartel a while ago, Mr. Speaker.

Mr. Speaker, I recognise that this is a house of politics, and while politics and political ideology may divide us and highlight our differences, I think that our search to find common ground, find consensus, and find ways to improve the quality of life for our people actually unites us. As we go into the season, I want to ask everyone to remember those in our own communities and their own struggles; for some financially, and for others, it will be their first Christmas without certain loved ones. For me personally, the Christmas spirit doesn't start in my house until my daughter arrives this weekend. My family will be complete at that point. My daughter has her exams to go through, and she's been very busy in the family chat.

I want to use this opportunity to thank everyone in this honourable House for making this an interesting year. I wish all of you and your families all the best and I wish everyone in the Cayman Islands and those who call the Cayman Islands home all the best for the Christmas. Most importantly, Mr. Speaker, I would like to thank the people of Bodden Town West who have given me the opportunity and also the many messages of encouragement to stay the course and just keep fighting. At the end of the day, I'm sure we all have the same goal. We may differ on how to achieve it, but improving the life of our people is pretty much why we are here.

Mr. Speaker, I want to say a special thank you also, for your leadership of this Parliament. Sometimes you have been able to, I guess, temper certain things. I also want to pay a special tribute to the Honourable Premier who pretty much just announced that this is her last Christmas here; I want to go on record that I have enjoyed working with her. She has a great social conscience and has always recognised the struggles of the Caymanian people despite the criticism which I guess all of us in this House will know, whether we deserve it or not. I can say in many cases much of the criticism

isn't deserved, but it is what it is. It comes part and parcel of this business called politics.

I want to say to you, Honourable Premier: Thank you for everything that you have done for the people of the Cayman Islands. It has not gone unnoticed.

[Desk thumping]

Mr. Christopher S. Saunders: With that said Mr. Speaker, I want to wish all the public servants, especially those who will be awake while we are asleep at night, looking after us and making sure the Cayman Islands is safe. You know, those are many people who also have a thankless job but, again, it is not unnoticed.

I want to ask everyone to stay safe, and for those who can help others, please help over the holidays. At the end of the day, regardless of what, we all are still children of Abraham. Thank you.

The Speaker: Honourable Members, **"and when comes on the season of peace, goodwill to man, 'tis then I love thee best of all, beloved isle Cayman"**.

When we think of what is transpiring across the globe, the terrible conflicts in Israel, Syria and Ukraine, just to name a few of the prominent ones those words, which come from the Bible, and are enshrined in our National Song—*peace on earth, goodwill to men*—have an even deeper meaning for me than they did when I was younger because, for so much of the world there is no such thing as peace or goodwill and for that, these Islands are so fortunate. Despite the challenges that all of us face, we are still a haven from much of what the rest of the ugly world has to deal with.

I think Christmas has probably always been the most bittersweet time of the year for people of the Christian faith because, while we celebrate the birth, the great gift of Jesus Christ, Christmas time has a way of making all of us who have lived long enough, very sad. As some Members said earlier, it's about absent friends—*the empty chairs*. I guess it's a function of getting older, but I find myself becoming a real old softie and wanting to cry about all kinds of things that I never did; I miss people now more than ever before.

When you have the Christmas gatherings, not just family, but yesterday it was the 22nd year the Progressives hosted the seniors' party. For most of those twenty-two years, it's been at my house and I looked and so many... in fact, I am confident to say that no one who was there was at the very first one we had. I mean, I'm talking about the seniors who are still around. While you celebrate with the seniors and you're happy to have them, those things make you, or make me, very, very sad. I suppose as Emily Dickinson said in one of her poems, **"that it will never come again, is what makes life so sweet."**.

For me, the older I get, the more I think *you only got a minute because it's gone in a blink*, but you come to value friendships and relationships and

kindness that much more as you get older. That's certainly what has happened and is still happening to me, so I endorse what has been said by many, if not all of you: spend time with those whom you love. Don't take tomorrow for granted because it's not promised; make the best of every situation, avoid conflict when you can, embrace friendship as much as you can, learn to be able to overlook the mistakes and the grievances and still be able to touch and feel love for your fellow man and woman. That, I believe, is the overarching message of the Christmas season and the gift of the Lord Jesus Christ.

I want to say that this is the best job I've ever had, being Speaker.

[Desk thumping]

The Speaker: This is the 24th Christmas season I will spend as a Member of our legislature, and it has indeed been the honour of my life, and to be Speaker is the cherry on top of the milkshake. I thank you all for the way you have cooperated with the Chair. How well you have listened to my attempts at guiding the way we conduct ourselves in Parliament but also, to try to enshrine some of the important parliamentary conventions and protocols which as new Members, you wouldn't know unless someone told you. I've had and still have that sense of responsibility to impart as much of my knowledge as I can while I'm here in the Chair.

I have to say that Parliament has some of the most incredible staff around.

[Desk thumping]

The Speaker: Many of them you all don't even see because they live in a place called Bermuda House. For me, they have been an absolute pleasure to work with, an absolute charm. The Clerk, the Deputy Clerk and Assistant Clerks—everyone, has just fallen over themselves to ensure I am looked after and that the things I need to get done, get done. Great thanks from the bottom of my heart.

I want to thank the people of Red Bay, indeed, all of George Town, because I have never gotten over it. I represented George Town, the whole district, for most of my political career so those people, especially who I call our people, real people, from George Town Central. I don't mean the constituency of George Town Central, I mean central George Town: Rock Hole, Swamp, Eastern Avenue, those places where, who I call "real people" live, who understand the challenges of life in a way that some of the "better off" never will. Those have always been my people. It's been an honour to represent Red Bay, these last two terms, and I am forever grateful for their support. Let you all know that I'll be around this week. I'm doing the usual, and I hope to see as many of you as I can and offer you greetings for the festive season.

I'll finish now with a few words from one of my favourite poets. I know that the Member for West Bay South thinks that I'm living in a past time, but they don't write these days the way they wrote in those days. Henry Wadsworth Longfellow—most of you all will be familiar with this:

**I heard the bells on Christmas Day,
their old familiar carols play;
in music sweet the tones repeat,
there's peace on earth, good-will to men.**

While that peace on earth is still an aspiration for many places in this world, beloved isle Cayman, we still, thank God, enjoy that peace, that special peace.

ADJOURNMENT

The Speaker: Madam Premier, I invite you to move the adjournment of this House until you wish it to resume.

The Premier, Hon. Juliana Y. O'Connor-Connolly: Thank you, Mr. Speaker.

Mr. Speaker, I wish to move the adjournment of this honourable House until 10 a.m. the 31st January, 2025.

The Speaker: The question is that this honourable House do now adjourn until Friday, 31st January, 2025 at 10 a.m. All those in favour, please say Aye. Those against, No.

AYES.

The Speaker: The Ayes have it.

The House is adjourned until Friday, 31st January, 2025 at 10 a.m.

At 7.27 p.m. the House stood adjourned until 10 a.m. Friday, 31st January, 2025.